

LOK SABHA DEBATES

Second Series

Volume XXXII, 1959/1881 (Saka)

[August 3 to 14, 1959/Sravana 12 to 23, 1881 (Saka)]



EIGHTH SESSION, 1959/1881 (Saka)

(Vol. XXXII contains Nos. 1 to 10)

**LOK SABHA SECRETARIAT
NEW DELHI**

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N.B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

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LOK SABHA

Tuesday, August 11, 1959/Sravana 20,
1881 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Chinese Army Personnel from Tibet

- +
- *286. { Shri Radha Raman:
Shrimati Ila Palchowdhari:
Shri Shree Narayan Das:
Shri Shivananjappa:
Shri Anwar Harvani:
Shri Raghunath Singh:
Shri Mahant:
Shri Ram Krishan Gupta:
Shri Aurobindo Ghosal:
Shri S. A. Mehdi:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that along with Tibetans who have crossed into India and taken refuge during the recent months, a certain number of Chinese Army personnel who have deserted their Units have also crossed into India and sought refuge;

(b) if so, their actual number; and

(c) the action taken in regard to them?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). Among the refugees from Tibet, there are about 40 persons who appear to be of non-Tibetan origin. Their identity and antecedents are being examined. It is not possible to

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say at present whether any of them belong to the Chinese army.

Shri Radha Raman: May I know whether this personnel which have not so far been identified with the Chinese army belong to any of the religious order?

Shrimati Lakshmi Menon: When we say that they are not identified, how can we say whether they belong to some religious order or something else?

Shri Shivananjappa: May I know whether the Nepalese Government have apprehended some deserters from the Chinese army along the Indo-Nepalese border and also whether the Government has any information to this effect?

Shrimati Lakshmi Menon: We have no information

Shri Ram Krishan Gupta: May I know whether any arms and ammunition have been recovered from them—non-Tibetan soldiers?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I cannot give a precise reply.

श्री रघुनाथ सिंह : मैं जानना चाहता हूँ कि यह जो ४० चीनी लोग घाये हैं वे क्यांग काई-शेक की धार्मी के हैं या उस बन्ध जो हुकूमत है उसकी धार्मी के हैं ?

श्री जवाहरलाल नेहरू : बाहिर है कि हमें उनके बारे में ठीक से मालूम नहीं। कुछ लोग घाये हैं जो कि तिब्बती नहीं मालूम होते। अब यह क्या है वह खालिस उनके चेहरों को देखने से तो मालूम कर नहीं सकते। जहाँ तक

प्यांग काई-तेक साहब का ताल्लुक है वह वहाँ से कई हजार मील के फासले पर है जहाँ से कि जरा मुश्किल से उनकी पहुँच हो सकती होगी।

Shri Hem Barua: May I know whether the attention of the Government was drawn to newspaper reports that 15 personnel of the Chinese army who were in the army division there deserted? May I know whether there is any enquiry or investigation made into the *bona fides* and motives of these people?

Shri Jawaharlal Nehru: We have already stated that we are going into this matter and find out who they are, whether they are *bona fide* people or *mala fide* people. That is being investigated.

श्री बजरत्न सिंह : क्या मैं जान सकता हूँ कि यह ४० लोग जिनको कि कहा जाता है कि तिब्बती मोर्चियों के नहीं हैं यह कहीं किसी एक स्थान पर रक्खे गये हैं या यह भी तिब्बती रेफ्यूजीज के साथ भलग भलग सब जगह रक्खे गये हैं।

श्री जवाहरलाल नेहरू : यह जो हमारे तिब्बतन कैम्प है गालिबन उनके साथ तो रक्खे गये नहीं हैं, भलग रक्खे गये हैं और जब कोई जाच पड़ताल एनबी स्टेशन होती है तो वह ४० आदमियों की एक साथ तो होती नहीं, भलग भलग हुआ करती है जहाँ इनसे भलग भला मिला जाता होगा।

Shri Jagannatha Rao: May I know whether these unidentified persons are allowed to remain with the Tibetan refugees?

Shri Jawaharlal Nehru: No, they are not with them. As to what will happen to them in the future is a matter to be considered later.

Shrimati Maftida Ahmed: May I know whether the Chinese Embassy in New Delhi has made any approach to the Government of India in regard

to the Chinese nationals that have crossed over to India?

Shri Jawaharlal Nehru: We do not yet know whether there are any Chinese nationals or not. Anyhow, there has been no such approach.

Tibetan Refugees

+

Shri Ajit Singh Sarhadia:

Shri Rajendra Singh:

Shri Vajpayee:

Shri U. L. Patil:

Shri Ram Krishan Gupta:

Shri Radha Raman:

Shri Sadhan Gupta:

Shri Supakar:

Shri Narayanankutty

Menon:

Shri Punnoose:

Shrimati Renu Chakravarty:

Shri S. M. Banerjee:

Shri Nagi Reddy:

Shri Khushwaqt Rai:

Shri Shree Narayan Das:

Shri Raghunath Singh:

Shri A. K. Gopalan:

Shri Kunhan:

Shri Harish Chandra

Mathur:

*287. Shrimati Maftida Ahmed:

Shri Sarju Pandey:

Shri Bibhuti Mishra:

Shri N. R. Munisamy:

Shri Bhakt Darshan:

Shri Assar:

Pandit Mnnishwar Dutt

Upadhyay:

Shri M. L. Dwivedi:

Shri Daljit Singh:

Shri Hem Raj:

Dr. Ram Subhag Singh:

Shri Damar:

Shri Pahadia:

Shri Aurobindo Ghosal:

Shri Achar:

Shri Mohan Swarup:

Shri Panigrahi:

Shri Bishwanath Roy:

Shri P. C. Borooah:

Shri P. G. Deb:

Shri S. A. Mehdi:

Will the Prime Minister be pleased to state:

(a) how many Tibetans have crossed into India so far;

(b) what facilities have been provided by the Government of India to rehabilitate them;

(c) the expenditure incurred monthly on the rehabilitation of these refugees;

(d) the names of the countries from which contributions have been received for their relief and rehabilitation stating the amount in respect of each;

(e) the names of the agencies entrusted with the relief work; and

(f) whether Government have received any communication from the Tibetan Government expressing their willingness to take them back?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (f) A statement giving the information required is placed on the Table of the House

STATEMENT

The total number of Tibetan refugees who have come to India is 12,398

Arrangements have been made for the employment of unskilled refugees on road-works in Sikkim and NEFA. Those who are old and infirm have been sent to Dalhousie and will be maintained at the expense of the Government. A number of refugees with relatives in India have been permitted to join their families in the Darjeeling district.

Student Lamas are being accommodated at Buxa, where they will pursue their religious studies. Children below the age of 16 years will be sent to schools.

Refugees who are not being maintained by Government and who are being dispersed for road works are being given resettlement grant of Rs. 50 in addition to the cost of transportation and shelter at the work-sites. Arrangements have also been made to give instruction in Hindi in Camps and on the work-sites so

that refugees can adjust themselves to the conditions in India. It is also intended to select some refugees for training in crafts and vocations after careful appraisal has been made of their aptitudes.

Since dispersal from Camps has begun recently, it is not possible to indicate monthly expenditure on the rehabilitation of refugees.

All voluntary relief activities are being co-ordinated by the Central Relief Committee for Tibetan refugees presided over by Acharya J. B. Kripalani. The Indian Red Cross Society has associated itself with the Central Committee.

All contributions coming from India or foreign voluntary agencies are received by the Central Committee. It is understood that contributions have been received from the American Tibetan Relief Committee, the Catholic Relief Committee, the Indian National Christian Council and the Co-operative for American Relief Everywhere. As most of the contributions are in kind, it has not been possible to estimate their value.

The Government have received no communication regarding the return of these refugees to Tibet.

Shri Ajit Singh Sarhadi: May I know if there is any long range policy about the resettlement of the refugees and if there has been any talk with the Dalai Lama on the subject?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): In the statement the hon. Member will see the steps that have been taken. Gradually, one evolves a policy and one cannot lay down a firm and fixed long range policy; much depends upon the circumstances. It would appear that a considerable number of them will remain in India and we have to fashion our policy accordingly. Almost everything that is being done about them, the steps to be taken in regard to the refugees, etc. had been done after consultation with the Dalai Lama.

Shri Tangamani: May I know how much money has so far been spent by the Government of India on these 12,396 refugees who have crossed over to India?

Shri Jawaharlal Nehru: I cannot give any kind of an accurate figure. I believe that the Finance Minister agreed primarily to allot about Rs 10 lakhs for this purpose but the actual expenditure is being met partly by the External Affairs Ministry and partly by the State Ministries concerned. We do not know how much the State Ministries have spent and we will get their accounts later.

Shri Supakar: May I know if the present scheme is to permanently rehabilitate the refugees? How many persons will be permanently resettled here?

Shri Jawaharlal Nehru: I have said that the likelihood of these refugees going back to Tibet in the foreseeable future is very small. We cannot speak of individuals but only of groups. Therefore, we must expect a great majority of them to remain here. Now, there are various types. Some are young men and boys for whom we arrange normal education. Some are young Lamas for whom also we arrange for that type of education. Then there are old Lamas and a number of them have been provided for in various places in their own profession of lamahood—if I may say so—in Sikkim, a few in Darjeeling. Some have gone to their friends or relatives round about Darjeeling or Kalimpong. The main body of them, young persons, have, for the present, been given work to do road-making and that type of thing. Some again are being taught handicrafts.

Shri Nath Pai: We should like to have an idea as to the daily cost of maintenance of these 12,000 refugees and secondly whether the Government is contemplating making any approach to the United Nations refugee section because there is a section which contributes for this purpose and also whether the Dalai

Lama is contributing to the maintenance of them and what part of the expenditure is coming by way of public contributions?

Shri Jawaharlal Nehru: We have not thought of appealing to the U.N. in regard to this matter. Some moneys have been received from foreign sources, not by the Government, but by the Central Relief Committee here, of which Acharya Kripalani is the Chairman. There is collaboration between the Government and Acharya Kripalani's committee in this matter. I cannot say what funds are at their disposal and how much they have got from foreign sources, etc. But much of it is in the shape of goods and medicines, this and that—a good deal of it, in medicines. I do not know about the cash, perhaps not too much. I am sorry I cannot give any figure as to how much is spent.

Shri Nath Pai: Is the Dalai Lama contributing anything to their maintenance?

Shri Jawaharlal Nehru: So far as I know he has not contributed anything to these people's maintenance but to some extent he has met his own expenditure not, I mean, the housing and the rest but the odd expenditure, I believe.

जी भवन बर्सेन . मैं यह जानना चाहता हूँ कि क्या तिब्बत से शरणार्थियों का आना समाप्त हो गया है, या अभी भी यह कम जारी है ?

जी जवाहरलाल नेहरू : वह तो करीब करीब रुक गया था । लेकिन कुछ दिन हुए, कोई एक हफ्ता हुआ, हम ने सुना कि १०० शरणार्थी भूटान आये थे । भूटान की हुकूमत ने कहा कि मेहरबानी करके आप इनको ले लीजिये, तो हमने कहा, बहुत खूब, हम ले लेंगे, क्योंकि वह इस बोले की उठावा नहीं चाहते थे ।

की विनूति निम्न : मैं जानना चाहता हूँ कि जो सरगामों तिब्बत से नेपाल भाये हैं उन्हें वह सेंट्रल रिजीफ कमेटी कुछ सहायता करती है या नहीं ?

श्री जवाहरलाल नेहरू जी नहीं, मेरा खयाल है कि उनकी सहायता का कोई खयाल उठा नहीं है, न किसी ने कुछ मागा, न जहाँ तक मैं जानता हूँ वहाँ की गवर्नमेंट ने कुछ किया है। जो थोड़े बहुत भाये हैं वह अपने दोस्तों और रिश्तेदारों के साथ फँस गये हैं। यहाँ ने कोई प्रबन्ध नहीं हुआ है।

Shri Narayanankutty Menon: May I know whether the Government have taken any decision to extend the same type of relief to a large number of Indian nationals repatriated from Malaya and Ceylon, who are still unemployed and are wandering as refugees in the South Indian States?

Shri Jawaharlal Nehru: No, Sir, the conditions are entirely different

Shri Ambar: Have our Government enquired from Dalai Lama or his officials about the bona fides of the Tibetan refugees to ensure that there are no Chinese spies?

Mr. Speaker: That is what he has already answered

Shri Jawaharlal Nehru: How can the Dalai Lama tell us about 12,000 people who have come from various parts? But, apart from that, naturally, we are interested in finding out who and what these 12,000 odd persons are. We try to make such enquiries from such sources as are available to us to get that information

Shri P. C. Boreeah: From the statement it is found that most of the contributions were in kind. May I know whether any exemption from custom duty in respect of gifts received from abroad or exemption from excise duty at

in respect of goods received from within India was given; if so the total amount for which exemptions were allowed?

Shrimati Lakshmi Menon: Exemptions from customs and also free passage for these goods are allowed, but there is no possibility of knowing how much by way of money it amounts to.

Shri Braj Raj Singh: In the statement it is said that those who are old and infirm have been sent to Dalhousie and will be maintained at the expense of the Government. May I know what is the number of such old and infirm refugees who have been sent over to Dalhousie, and what is the monthly expenditure incurred by the Government to maintain them?

Shri Jawaharlal Nehru: The figure I have got thus far is that 320 persons have been sent to Dalhousie. It is not a question of old and infirm so much as the old senior Lamas who cannot be put to work; that is to say, it is practically a Lama Centre, where they can carry on their Buddhist vocations and studies in life, which has been, in a sense, created in Dalhousie, and these people have been sent there

Shrimati Maftida Ahmed: Is it not a fact that permits were issued to the Tibetan refugees to stay at Mismari Camp only for three months; if so, may I know whether it has been extended and if so, what is the extension period?

Shrimati Lakshmi Menon: The Mismari Camp is only a transit camp. As soon as they are found fit to be sent to any of these recognised places, work sites or other places where they can settle down, then they will be sent away and the camp will be wound up

Shri N. E. Muniamy: As a result of our having afforded asylum to Dalai Lama and Tibetan refugees there is a good deal of anti-Indian feelings against the Indians residing in Tibet at the instance of the Chinese. May

I know whether any steps have been taken by Government to clear this misunderstanding?

Shri Jawaharlal Nehru: I have mentioned, Sir, the other day that the Indian nationals there are mostly traders, apart from our own Mission folk and some few others. A number of difficulties have been placed in the way of Indian trade which is gradually vanishing, and we have drawn the attention of the Chinese Government to this matter

Hindustan Antibiotics Ltd.

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*288. { **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to state

(a) whether there is a programme for the manufacture of tetracycline in the Hindustan Antibiotics Ltd., and

(b) if so, whether the programme has been finalised?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) Yes, Sir. The Hindustan Antibiotics Ltd. have decided to set up a pilot plant for the production of tetracycline to the extent of 15 tons per year. When the pilot project is successfully completed, they propose to step up the capacity

Shri Subodh Hansda: May I know how much foreign exchange will be saved when this tetracycline will be produced in our country?

Shri Manubhai Shah: About Rs. 4 lakhs of foreign exchange will be required for the pilot project. Savings will be about Rs. 20 lakhs per year.

Shri S. C. Samanta: May I know what other medicines are contemplated to be manufactured in the near future by this company?

Shri Manubhai Shah: This question, of course, applies only to this particular aspect of tetracycline. As the House is aware, we are putting up a big streptomycin plant there, and in course of time many other drugs of

an essential nature also will be covered by the Hindustan Antibiotics

Shri V. P. Nayar: We find from a copy of an agreement recently laid on the Table by the hon. Minister—agreement between the Soviet Union and India—that the agreement contemplates production of streptomycin to the extent of 95 tons and 100 tons of chlorine tetracycline. May I know when this unit of production will be commissioned?

Shri Manubhai Shah: About 1964 or 1965

Shri V. P. Nayar: May I know whether the pilot project now in the Hindustan Antibiotics is in collaboration with any foreign firm?

Shri Manubhai Shah: No, this is our own research. Our own research workers in the Hindustan Antibiotics, the House will be glad to know, have found their own research and processes—their economics and therefore we have given them every encouragement to go forward.

Shri V. P. Nayar: I would like to know what type of tetracycline has been evolved by the scientists in the Hindustan Antibiotics.

Shri Manubhai Shah: Mostly chloro and some ortho

Pyrites Deposits of Shahabad

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*289. { **Shri S. C. Samanta:**
Shri Subodh Hansda:
Dr. Ram Subhag Singh:

Will the Minister of Commerce and Industry be pleased to state

(a) whether the Norwegian expert, who had come to look into the Shahabad pyrites deposits, has submitted his report, and

(b) if so, the reasons because of which the National Industrial Development Corporation has taken so much time to finalise the project?

The Minister of Industry (Shri Manubhai Shah): (a) Not yet, Sir.

(b) A company is being formed under the National Industrial Development Corporation to implement this project. The mining operations are already under way.

Shri S. C. Samanta: May I know what is the quality of pyrites deposits that are available there now?

Shri Manubhai Shah: Very good, Sir, with a high quality of sulphur content and the extent of availability is also very large.

Shri S. C. Samanta: May I know whether the cost of the project has been worked out; if so, how much?

Shri Manubhai Shah: The present estimates are that it will be about Rs. 5 crores, but till the Norwegian expert's final report is ready we cannot correctly find out what would be the actual cost and how much will be the foreign exchange content.

Dr. Ram Subhag Singh: May I know where the pyrites mined at Amjor is being processed, and how soon do Government expect to set up a factory over there for processing it?

Shri Manubhai Shah: As far as this company is concerned, it is likely to be registered during this month. The NIDC at its last meeting decided to set up this company at once. The initial prospecting has shown very good results, almost to the extent of 7 million tons of high grade pyrites. It is hoped that within two or three years the company will start actual production.

Shri Subodh Hansda: The hon Minister stated that sulphur content in these pyrites deposits is very high. May I know whether Government have any proposal to set up a plant for the extraction of sulphur from these deposits?

Shri Manubhai Shah: That was in reply to a previous question about the pilot project. This is about iron pyrites at Amjor, which is a different question. Is the hon Member inter-

ested in having a pilot project for pyrites?

Dr. Ram Subhag Singh: May I know whether the Government is thinking of setting up that factory at Amjor?

Shri Manubhai Shah: As far as possible, it is our policy to decentralise the location of industries, particularly heavy industries. Generally it will be nearer the source of the raw material supply, but we will have to decide the actual location in consultation with the experts.

Shri Ramanathan Chettiar: May I know whether this will be a subsidiary of the NIDC or a private company for which the finances will come from the NIDC?

Shri Manubhai Shah: It is a subsidiary of the NIDC.

Production of By-products and Chemicals from Sambhar Lake

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290. { **Shri Barman:**
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri P. K. Deo:

Will the Minister of Commerce and Industry be pleased to state:

(a) what by-products and heavy chemicals are proposed to be produced from the bitters of Sambhar Lake;

(b) the total outlay for the project and the achievement in financial terms,

(c) whether the Rajasthan Government have agreed to the establishment of the above project, and

(d) if so, on what terms?

The Minister of Industry (Shri Manubhai Shah): (a) For the present it is proposed to recover only sodium sulphate from the bitters at Sambhar Lake.

(b) to (d) The capital outlay for the entire project including a washery for salt is estimated to be Rs. 44 lakhs. The net return from the project after allowing for interest on capital and

depreciation is estimated to be about Rs. 8 lakhs per annum.

No permission, as such, is required from the Rajasthan Government. On the contrary Rajasthan Government, according to the indications available, to us, would welcome all efforts at development of such projects in Rajasthan. Several details concerning the project are under consideration of the two Governments.

Shri Barman: At present we understand that only 60 per cent of salt is recovered and 40 per cent goes to waste because of the bittern. Now, is it a fact that without isolating sodium sulphate and sodium carbonate, that 40 per cent can be recovered and, if so, whether by the installation of the washeries and without eliminating sodium carbonate we can recover any portion of the salt that is being wasted now?

Shri Manubhai Shah: It is a German process which was selected for chilling, as it is called. It is possible to recover a partial quantity of salt, but the main purpose is to recover sodium sulphate—Glauber's salt—and not any other bye-product. It will not be correct to say that sodium chloride is not being recovered at present to the extent technically possible.

Shri Barman: May I know whether the terms of the agreement of the two Governments are complete and, if so, by what time the washery will be installed?

Shri Manubhai Shah: The terms are being discussed and we are placing orders for all the equipment, and the details of the actual implementation could be decided within the next two months or so.

Nagar-Haveli and Dadra issue

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- *291. { **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:
Shri Vidya Charan Shukla:
Shri N. E. Munisamy:
Shri Raghubar Singh:

Will the Prime Minister be pleased to refer to the reply given to Starred

Question No. 45 on the 10th February, 1959, and state the latest position with regard to the Portuguese complaint to the International Court regarding Nagar-Haveli and Dadra?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): The Court has fixed 21st September 1959 for opening Oral Proceedings. As required by the Court, both parties filed by 20th July the original documents in support of their respective claims.

Shri Ram Krishan Gupta: May I know whether the hearing has started and, if so, the time by which this will be complete?

Shri Sadath Ali Khan: I have just now said that it is 21st September.

Dr. Sushila Nayar: I would like to know how much money we have spent on this case already.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I do not exactly know, but it is a considerable sum.

Shri N. E. Munisamy: May I know how far will the findings of the court be binding on India and what are the sanctions behind their verdict?

Shri Jawaharlal Nehru: This case was started by Portugal about three years ago, in 1956. India took a preliminary objection to its hearing. That took about a couple of years for decision. I may add that apart from the normal judges of the court, in such matters the parties concerned also nominate judges and so Portugal nominated a judge and we nominated a judge. Our judge was Mr. Chagla who was then the Chief Justice of Bombay. And so, the preliminary objection came up for hearing. After a number of papers had been put in by India, by Portugal—rejoinders and so on, long printed documents and books—this preliminary objection was decided against India by a big majority of the court. The court consists, I think, of about 16 or 17 judges al-

together. After that we have gone back to the original complaint; preparations have been made for that and now they are complete. All the memoranda, rejoinders, have been done and the hearing of the case will begin on the 21st September.

I cannot say what their final findings will be. That is for the court to decide. Nor can I say—it all depends on the finding—anything about the sanctions.

Dr. Ram Subhag Singh: Being a purely political matter, may I understand that only the wishes of the people of Nagar Haveli and Dadra will be binding on us?

Shri Jawaharlal Nehru: I cannot answer a hypothetical question. I do not know what the court might decide ultimately. How can I say that—what will be binding and what we can give effect to or not before we know what it is?

Dr. Sushila Nayar: Does Mr Chagla continue to be our judge on the International Court now? I understand that most of the judges have expressed a wish that Justice Chagla should continue to be on that bench. Has the Government of India agreed to that?

Shri Jawaharlal Nehru: I think when Mr. Chagla became our Ambassador in the United States we referred this matter to the court there,—whether there was any objection to his continuing. To the best of my recollection, they said they had no objection, and so he is presumably continuing there.

श्री सिद्धान्त सिंह: क्या मैं जान सकता हूँ कि गोष्ठा का मामला कब तक भारत के लिए एक कलंक बना रहेगा, तिरबंद बना रहेगा? क्या यह आशा की जा सकती है कि भविष्य में कभी गोष्ठा भारत का घम बन सकेगा?

श्री जवाहरलाल नेहरू: माननीय सदस्य ने एक प्रश्न प्रस्तावित किया है। इसमें गोष्ठा का संज्ञा पा जाता है। इसमें कोई शक नहीं है कि यह जो पुर्तगाल ने मुकदमा वहाँ चलाया है, इस का गोष्ठा से सीधा सम्बन्ध नहीं है, लेकिन दूर-दराज का रिश्ता हो ही जाता है।

Laos

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Shri Radha Raman:
Shri Shree Narayan Das:
Shri Shivananjappa:
Shri Baghunath Singh:
Shri Mahanty:
Shri Vajpayee:
Shri Bibhuti Mishra:
'292. Shri Tridib Kumar Chaudhuri:
Shri Wodeyar:
Dr. Ram Subhag Singh:
Shri Hem Barua:
Shri Kasiwal:
Shri Khadilkar:
Shri Naldurgkar:
Shri Kadiyan:

Will the Prime Minister be pleased to state

(a) whether it is a fact that the International Commission for Supervision and Control in Laos is not functioning properly due to recent developments in Laos;

(b) whether the Government of India have approached the Governments of Britain and Russia for reorganising the International Commission;

(c) whether the Government of India have also approached the Governments of Canada and Poland who are represented on the Commission in the matter, and

(d) if so, the outcome thereof?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) The International Commission for Supervision and Control in Laos adjourned sine die on the 19th July 1958 with the proviso that it may be reconvened "in accordance with not-

mal procedures" In view of recent developments in Laos end on the Laos-North Vietnam border, the Chairman of the Laos Commission (India) proposed that the Commission should be reconvened. It has not been possible however, to do so because of the opposition of the Government of Laos and the fact that the Government of Canada have not appointed their delegate to the Commission. The Chairman thereafter requested the two Geneva Co-Chairmen to consider this situation and issue necessary directions.

(b) Yes.

(c) The Government of India have approached the Government of Canada on this subject. The Government of Canada, however, pointed out that as the Laotian Government was opposed to the reconvening of the Commission they could not take the step suggested.

The Government of Poland have been agreeable to the reconvening of the Commission.

(d) In view of the situation in Laos deteriorating, the Prime Minister sent messages again to the two Co-Chairmen of the Geneva Conference (United Kingdom and the Soviet Union) as also to the Prime Ministers of Laos and Canada. In these messages it was pointed out that the procedures for conciliation and mediation laid down in the Geneva Conference should be followed, as otherwise the Geneva Agreements would lapse, and the Co-Chairmen were requested to indicate what the Government of India and the other Governments concerned can do to initiate mediatory and conciliatory processes to ease the tension and conflict in Laos. It is understood that the two Co-Chairmen are in consultation over the situation in Laos.

Shri Radha Raman: May I know whether, in view of the responsibility devolving on the Indian Government as chairman of this Commission, any communication from the Indian Prime Minister has gone to the Prime Minister of Canada and also if any communication has been received by him from

the North Viet-Nam premier and, if so, whether any suggestions in reply were received or were given in order to be able to fulfil that responsibility which has devolved on India?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): We have been frequently in communication, first of all, with the two co-chairmen of the Geneva Conference, that is, the Foreign Ministers of the United Kingdom and the Soviet Union, further, with the Prime Ministers of Canada, of Laos and also of North Viet-Nam, and occasionally with some others too.

Shri Tridib Kumar Chaudhuri: Has the Government reason to believe that the restrictions imposed by the Geneva agreement on arms imports into the Indo-Chinese States and the strength of the armed forces, have been transcended and the present disturbances in Laos are attributable to this factor?

Shri Jawaharlal Nehru: That is a matter of interpretation and opinion. Under the old agreement,—I am actually speaking from memory—only the French were allowed to keep some military forces near Laos for training and other purposes and other forces were not permitted to do that. Recently the French have withdrawn some of their officers and others and had come to an agreement, I think with the United States, that some United States officials, I think about 200 or so trainers and others, should go there to take the place of the French. On the one side, it is said that this is an infringement, on the other side, it is said that this is not at all an infringement. It is a matter of interpretation there.

Shri Khadilkar: Recently it was reported that Mr Selwyn Lloyd and Mr Gromyko had some discussion, as Co-Chairmen of the Conference in Geneva. May I know if Government knows what progress, if any, was made in those talks, what was the nature of the talks and whether it was helpful for the revival of this Commission?

Shri Jawaharlal Nehru: I cannot give an account of those talks chiefly because I do not know the detailed nature of the talks. I have been kept informed that there were talks and that they were considering what to do. That is all I know. Meanwhile, of course, there is some kind of conflict proceeding in Laos.

Shri Hem Barua: May I know whether the attention of our Government has been drawn to a statement made by the British Minister of State for Foreign Affairs, Mr John Profumo, to the effect that Britain has received a letter from the Prime Minister on this question and Britain has already replied to that letter? If so, may I have a broad idea about the contents of the two letters?

Shri Jawaharlal Nehru: I cannot give an idea of confidential letters, but I can give the House a broad idea of the position that we have taken up in these matters. First of all, as the Chairman of that Commission, we are naturally concerned. We are there simply because of the Geneva agreements; it is under the agreement that we are there. If the Geneva agreements do not function, then we have no place left there. The Geneva agreements were drawn up at a certain time of serious conflict in Indo-China, Viet-Nam, Laos and Cambodia and they were meant to put an end to this conflict and to isolate in so far as possible the Indo-China States from other conflicts in which other great powers might be interested—the cold war, the hot war and all that. The whole conception of the Geneva agreement was to cut the States off from pressures from the great powers, so that they may work out their own destiny as best as they could and we were appointed Chairman. The Commissions, I believe, have done good work in preventing such conflicts, because it was rather a precarious balance all the time and difficulties have been constantly arising.

Now, when this difficulty arises in Laos, our natural attitude is that the Commission should help in processes of mediation, but the Commission cannot obviously meet over the head of the Laotian Government and against its will. It can only meet if they are willing that it should meet and the Laotian Government has not been willing. Our attitude again is, whatever is done should be done within the terms of the Geneva agreement. The Geneva agreement appointed the Commission as well as gave considerable authority of the two Co-Chairmen. The two Co-Chairmen may devise methods of dealing with the situation in terms of the Geneva agreement. They can only do so with the consent of the parties concerned.

Shri Nath Pai: There are reports that the Laotian Government has approached the Government of India to depute some independent observers to ascertain the facts. Such reports have appeared in almost all the national papers of yesterday. Is there any substance that such an approach was made to our Government? This is independent of our membership of the Commission.

Shri Jawaharlal Nehru: Something has appeared in the Press, but we have no direct request to that effect or information.

Shri Khadikar: In case this request is made to the Government of India, will the Government accept it, in order to avoid the dangerous potentialities of the situation?

Mr Speaker: That is a hypothetical question. Let the request come.

Shri Hem Barua: May I know whether it is a fact that Britain is of the opinion that this integration of the Pathet Laos battalion with the Royal Laotian battalion is a domestic affair and there is no dis-peace on this account and therefore Britain is of the emphatic opinion that there should be no reconvening of the Com-

mission? May I know whether this has been communicated to us in that confidential letter that Britain has written to us? I want to know it because they have not kept it confidential. The Minister of State for Foreign Affairs has not kept it confidential; he has said like that on the floor of Parliament. So, if it is communicated to us, we can also do the same.

Shri Jawaharlal Nehru: There is nothing very categorical about these matters. The two Co-Chairmen, I take it, are searching for some way out. They may emphasise one aspect or the other. It has been pointed out to us that the Commission cannot be reconvened without the consent of the Laotian Government. It is an obvious fact that we cannot impose ourselves; we cannot infringe on Laotian sovereignty. That is perfectly true, but conditions may arise when, if the Laotian Government is willing, others will also be willing.

Central Institute for Machine Designing, Ranchi

*293. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1381 on the 19th March, 1959 and state

(a) at what stage stands the scheme for setting up a Central Institute for Machine Designing at Ranchi; and

(b) the steps taken so far for setting up this Institute?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The whole question is under active consideration.

Shri Ram Krishan Gupta: May I know whether any assistance has been received from the USSR so far for setting up this plant?

Shri Manubhai Shah: In the mam report, the Soviet team recommended one institute of a central nature for designing and another for training a technological training institute. The

whole question today is under consideration. No further report has been either called for or received from the Soviet Union. Some steps have already been taken and the National Industrial Development Corporation in its last meeting decided to set up technological consultancy bureau. As the Government is giving the highest importance to the designing and preparation of project report in the country, every unit in the public sector has been asked to devise a scheme for setting up a built-in designing institute or centre within the project itself. The question of an integrated institute as envisaged in the Soviet report is still under consideration.

Shri Tangamani: In addition to this integrated central institute, which is going to be set up in Ranchi, may I know whether branch institutes are going to be set up in the public sector in Hindustan Machine Tools, Chittaranjan Loco Works, etc?

Shri Manubhai Shah: Exactly; that is what I mentioned to the hon. House. We have already issued instructions to all the important units in the public sector that they should have their designing centres built in within the project itself and it should be located in the project, so that all the officers of a technical nature can be drawn upon and their services could be utilised. They can be taught the whole aspect of designing and project preparation. Their inflow would again go back to the production units and we can get trained personnel for the designing and project centres.

Shri Tangamani: Have any steps been taken about the Hindustan Machine Tools?

Shri Manubhai Shah: Yes, Sir; the Board has already approved of a designing centre much before the Soviet report was received. About 54 designing personnel are being considered for appointment to increase the capacity of the Hindustan Machine Tools and also to look after the special purpose machine tools which have so far not been covered.

Fertiliser Factory in Andhra Pradesh

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 *294. { Shri T. B. Vittal Rao:
 Shri Nagi Reddy:
 Shri Rami Reddy:
 Shri E. Madhusudan Rao:
 Shri Viswanatha Reddy:
 Shri M. V. Krishna Rao:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 4289 on the 8th May, 1959 and state—

(a) whether the proposal to set up a fertiliser factory in Andhra Pradesh has been finalised; and

(b) if so, the details thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). No, Sir. The report of the Technical Committee on the establishment of a fertiliser factory in Andhra Pradesh has been received and will be examined along with similar reports on other sites

Shri T. B. Vittal Rao: May I know whether this Committee has not yet submitted the report regarding the other States also?

Shri Satish Chandra: Not yet. The Committee has submitted only the first part of the report which relates to Andhra Pradesh. It has completed its studies in Assam and the report is expected shortly. It will visit other States also and submit similar reports.

Shri T. B. Vittal Rao: May I know the name suggested in the preliminary report in Andhra Pradesh.

Shri Satish Chandra: Kothagudem.

Shri Nagi Reddy: In view of the fact that this question has been pending for the past five years, may I know whether the Government is prepared to take up the question of establishing a fertiliser factory in Andhra Pradesh without waiting for the other reports to come?

Shri Satish Chandra: The question is not pending for five years. It was considered at one time in connection with the planning of fertiliser factories during the Second Five Year Plan. It was not possible to include it then. Now we are considering schemes for the Third Five Year Plan and I think Andhra has a very good claim.

Shri Satish Chandra: Yes, Sir. A if it is a fact that the Andhra Government are trying to set up a fertiliser factory of their own?

Shri Satish Chandra: Yes, Sir. A proposal has been received from the Andhra Government that they would like to set up a fertiliser factory and they have asked the Government of India to give their consent in principle to become partners in that enterprise and also to release some foreign exchange for the purpose. All these things have to be considered in consultation with the Planning Commission and the Ministry of Finance. It is very difficult to say immediately as to what will be the decision. The whole matter is under examination.

Shri Keshava: The hon. Minister was pleased to refer to other States also. May I know whether any of the sites in Mysore also is under consideration?

Shri Satish Chandra: The Committee has been asked to study the question of expanding the fertiliser factory there.

Shri Thirumala Rao: May I know whether the proposal now under consideration by the Andhra Government to set up a factory in the private sector has got the blessing of the Ministry of Commerce and Industry?

Shri Satish Chandra: The scheme that has been received from the private sector appears to be unworkable. The proposal is to manufacture 70,000 tons of nitrogen at a capital cost of Rs. 6 crores to 7 crores, which is just not possible.

Shri Thirumala Rao: Has the attention of the Government been drawn to the news item in the press about the proceedings of the Andhra Legislative Assembly where the Andhra Ministry has taken for granted that they have got the sanction of the Central Government to bring this factory into existence in co-operation with the private sector?

Shri Satish Chandra: The hon. Member is referring to the proposal now received from the Andhra Government. I have said it is under consideration. What the Andhra Government have said to us is that they will contribute 51 per cent of the share capital themselves. They want the Government of India to be the minority partner in the enterprise. They will also raise some capital from the ryots of Andhra, not from the private sector industrialists, if the hon. Member is referring to them.

Shri Thirumala Rao: What is the attitude of the Government of India to this latest proposal of the Andhra Government?

Shri Satish Chandra: The Government of India are examining it and we certainly see a very good possibility of establishing a fertilizer factory in Andhra. But whether the capital structure is sound or not are matters which have to be gone into.

Shri Nagi Reddy: May I know whether the Government is aware of the statements that have been made over and again by the Andhra Pradesh Government that the Central Government has been adopting a step-motherly attitude so far as this fertilizer factory in Andhra is concerned?

Shri Satish Chandra: The Andhra Government have no such misgivings.

Shri T. B. Vittal Rao: May I know when the latest proposal from the Andhra Government was received and when the consideration of the matter will reach a state of finality?

Shri Satish Chandra: It was received in the middle of May and the Technical Committee has already visited the site. It has submitted its report. That was the first site to be investigated and its report has already been received. The Technical Committee will shortly be completing its study, because the entire integrated plan for the development of fertilizers has to be prepared for the entire country, and this is one of the suitable sites.

Manufacture of Motor Cycles

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295. { **Shri Ansar Harvani:**
Shrimati Mafida Ahmed:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received any offer from any firm to manufacture Motor Cycles in Bombay in collaboration with Czechoslovakian firm, and

(b) if so, the progress made so far in the matter?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the table of the House.

STATEMENT

Two schemes for the manufacture of motor cycles in collaboration with a Czechoslovakian firm were received during 1955 from two different firms in Bombay. These schemes were rejected on the ground that the licensed capacity was considered adequate to meet the demand. Subsequent applications by one of the firms in 1956 and 1957 for the manufacture of Three-wheelers, Light weight trailers, etc were also rejected on similar grounds.

Like all other industries the position of the motor-cycle industry is reviewed from time to time and firms who had shown interest in the past, including the above two firms, have been addressed to submit proposals by the 30th September, 1959.

Shri Anwar Harvani: The hon. Minister has stated in his reply:

"These schemes were rejected on the ground that the licensed capacity was considered adequate to meet the demand."

May I know from the hon. Minister whether the demand of the Defence Ministry was also taken into consideration?

Shri Manubhai Shah: Yes, Sir

Shri Anwar Harvani: In view of the fact that Royal Enfields hold a monopoly in the country is the Ministry aware that they charge very high rates and it is not possible for the average users of motor cycles to purchase them?

Shri Manubhai Shah: There is no monopoly as such. We do not want to repeat the mistake of the automobile industry, where we inherited so many models, many other highly specialized items like motor cycles and scooters. Therefore, we take a very close view of the matter every six months. Recently we have circularised to several parties to send their proposals before 30th September in order to consider whether more licences should be granted.

Sardar Iqbal Singh: Are the Government aware of the fact that there is a great shortage of motor-cycles in the country?

Shri Manubhai Shah: In a way it is true, because the demand today has outstripped supply. But in the current year we expect a much better production, and the House will be glad to know that within three years production has increased and it will be touching about 7,000 to 8,000 in the current year.

Shri Rameshwar Tanti: What is our present production of motor cycles?

Shri Manubhai Shah: That is exactly what I said. In the current year we expect about 7,000 to 8,000 motor cycles, scooters and three wheelers which will be somewhat in ex-

cess of the Second Five Year Plan target for 1960-61.

Export of Glass and Ceramic Products

*296. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state.

(a) the steps taken by Government to increase foreign markets for glass and ceramic products;

(b) whether as a result of these steps export of glass and ceramic products has increased; and

(c) if so, to what extent?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) A statement is laid on the Table of the House

STATEMENT

1 Drawback on import and excise duties paid on the imported or indigenous components are allowed against the export of some of glass products.

2 Allotment of railway priorities and shipping space are arranged for where necessary and possible.

3 Glass and ceramic goods are normally exhibited in the various international exhibitions in which India participates.

(b) Not yet, Sir

(c) Does not arise

Shri Pangarkar: May I know the present production?

Shri Satish Chandra: I want notice. The question relates to exports.

Shri Braj Raj Singh: May I know whether the Government have taken any special steps to explore the possibility of exporting glass bangles outside India? If so, what is the result of it?

Shri Satish Chandra: Glass bangles are exported, but not in large quantities. It is for the manufacturers of bangles to create a market in the foreign countries.

Shri Braj Raj Singh: Does the Government of India propose to help the exporters of glass bangles to other countries to earn foreign exchange? I am told that crores of rupees worth of glass bangles are manufactured here which, if exported, we can earn foreign exchange.

Shri Satish Chandra: Many facilities are given to the exporters. Many exhibitions are organised by the Government of India in foreign countries and bangles are also displayed along with other glass and ceramic articles. Then, drawbacks on import and customs duties are allowed to the exporters. But the actual exports have to be made by the manufacturers themselves. They have to take more active interest in order to augment their exports.

Shri Thirumala Rao: May I know whether Government have collected any information about the countries where glass bangles are used by men and women?

Shri Satish Chandra: Glass bangles in small quantities are exported to West Asia and South East Asian countries. Where the exports can be increased is a different matter.

Haj Pilgrims

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*297. Shri Raghunath Singh:
Shri Aurobindo Ghosal:

Will the Prime Minister be pleased to state:

(a) whether sixty-five Tibetan Muslim Haj pilgrims have been stranded at Bombay for the past four months for not having proper travel documents; and

(b) whether these pilgrims have submitted a memorandum to him to permit them to settle down in Bombay?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) We have received information that sixty-one Tibetans Muslims are stranded in Bombay, as they do not have proper travel documents. The Saudi Arabian Embassy insisted on their having regular travel documents, duly visaed by them, before they could allow them to proceed on Haj.

(b) No, Sir.

Shri Raghunath Singh: May I know whether these people have been registered or not?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Registered as what? Out of these 61, 34 were registered in Kalimpong, Gangtok and Calcutta. The remaining 27 persons in fact had no registration papers. In fact, we do not know how they have appeared at all on the scene in India.

Shri Raghunath Singh: May I know whether in the Indo-Chinese Agreement there is any provision about these kinds of hajis?

Shri Sadath Ali Khan: There is provision for pilgrims visiting sacred places in India, like, Banaras, Sarnath, Gaya and Sanchi, but no mention is made of Mecca-i-Muazamma.

जो भक्त दर्शन : मैं यह जानना चाहता हूँ कि यह जो तिब्बती हाजी आये थे यह भीचे तिब्बत से तथारीक लाये थे या जो तिब्बती शरणार्थी आये हैं उनमें से थे ?

जो जव हज्जाल रहक : मैं ने कहा कि उनमें से बाइ लोगों का तो कनि पौन, गंदोक और कलकते में कुछ नाम निशान मिला है। बाकी का पता नहीं चलता। जांच की जा रही है कि वे कैसे आ गये।

की रकबाब सिंह : मैं यह जानना चाहता हूँ कि सरकारी धरम की सरकार ने जो यह सवाल उठाया उसका अभी तक कोई हल हुआ या नहीं ?

श्री जवाहरलाल नेहरू : उनकी तरफ से तो हल हो गया । उन्होंने उन लोगों को नहीं जाने दिया ।

Shri Hem Barua: May I know whether Government propose to repatriate those hajj pilgrims who have appeared on the scene mysteriously and, if so, where?

Shri Jawaharlal Nehru: Where can we repatriate them? I do not quite understand. I do not know where they come from—some of them. If they want to go back to Tibet, of course they can go back to Tibet. The point is that we are not prepared without further consideration and enquiry to accept them as permanent residents of India

Banking Companies Act

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*306. { **Shri Narayanankutty Menon:**
 Shri Punnoose:
 Shri Keshava:

Will the Minister of Labour and Employment be pleased to state:

(a) whether the recent judgment of the Supreme Court on Sec. 10 of the Banking Companies Act has adversely affected the interests of the Banking employees; and

(b) if so, the steps taken by Government to remedy the position?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The judgment of the Supreme Court has clarified the legal position in regard to the nature of the reference which was made to the Sastry Tribunal and the scope of Section 10 of the Banking Companies, Act, 1949 as it stood before the amendment in 1956.

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Government do not think that any action on their part is called for as a result of this judgment.

Shri Narayanankutty Menon: In view of the fact that section 10 was later on amended to give benefits to the employees, will the Government consider giving that amended section retrospective effect?

Shri Abid Ali: This question was discussed in the Select Committee in 1956 and was rejected.

Shri Tangamani: The question was about the interpretation of section 10 and this section was amended in 1956. Now the question is whether, in view of the Supreme Court decision, the Government will consider the question of payment of bonus to those banking companies who have made the demand for the previous years from 1949 onwards.

Shri Abid Ali: Any reference to adjudication concerning this will be illegal in view of the Supreme Court decision. As I have submitted earlier, the matter was discussed in the Select Committee in detail and they rejected it and the amendment was passed in Parliament.

Shri Narayanankutty Menon: The question is that when the Select Committee decided that retrospective effect should not be given the benefit of the Supreme Court judgment was not available. The Supreme Court's judgment came recently. In view of the fact that the Supreme Court gave a particular interpretation to section 10 and now that the Supreme Court judgment is available, will the Government consider giving retrospective effect applying the same principle which has been incorporated in the amendment passed by Parliament?

Shri Abid Ali: Because a doubt had arisen at that time that perhaps this may be the Supreme Court decision, an attempt was made to discuss the matter in the Select Committee and persuade the Select Committee to accept the amendment which was rejected.

Shri Prabhat Kar: In view of the fact that this amendment was brought to clarify section 10(1)(b) and in view of the fact that the Supreme Court has held already that section 10(1)(b) was a bar, will the Government now consider it, because the intention of the legislature was to clarify the position, by withdrawing the bar, if any? In view of the Supreme Court judgment the bar is removed. In that case, will the Government consider giving it retrospective effect?

Shri Abid Ali: I do not think that the Supreme Court decision makes any difference.

उत्तर प्रदेश में अख्तबारी कागज का कारखाना

*३०१. श्री भक्त वर्मान : क्या व बिजय तथा उद्योग मंत्री ३१ मार्च, १९५९ के तारांकित प्रश्न संख्या १५८३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उत्तर प्रदेश में अख्तबारी कागज के कारखाने की स्थापना के मुद्दा के बारे में इस बीच क्या प्रगति हुई है ?

उद्योग मंत्री (श्री मनुभाई शाह) : इस मामले की अब भी खोज-बीन की जा रही है। अख्तबारी कागज बनाने के लिये ठीक ढंग का कच्चा माल काफी परिमाण में उपलब्ध होता नहीं दिखाई देता, जिससे कि फायदे के साथ चलने वाला अख्तबारी कागज का कोई कारखाना खोला जा सके। पर इस समय जो खोज-बीन की जा रही है उसके कारण हो सकता है कि कागज बनाने का कोई कारखाना स्थापित किया जा सके।

श्री भक्त वर्मान : यह मसला बहुत दिनों से विचाराधीन है। मैं यह जानना चाहता हूँ कि यह जो एक्सप्लोरेशन बताया जा रहा है, वह किस स्टेज पर है ?

श्री मनुभाई शाह : वह तो मैंने जवाब में बता दिया। एक्सप्लोरेशन से यह नतीजा आता है कि यहाँ इतना रा मटीरियल नहीं है कि न्यूजप्रिंट का कारखाना बिटाया जा सके लेकिन इस एक्सप्लोरेशन से एक नतीजा सामने

आता है कि हो सकता है कि वहाँ पर एक कागज का कारखाना लगाया जा सके।

श्री भक्त वर्मान : मैं यह जानना चाहता हूँ कि क्या इस सम्बन्ध में उत्तर प्रदेश की सरकार पूरी तरह से सहयोग दे रही है और उसने इस सम्बन्ध में बार बार केन्द्र को लिखा है ?

श्री मनुभाई शाह : दोनों सरकारों का पूरा सहयोग है और उनके फारेस्ट के इंस्पेक्टर जनरल और हमारा फारेस्ट डिपार्टमेंट और कमर्स और इंडस्ट्री मिनिस्ट्री के सारे अफसर मिलजुल कर काम कर रहे हैं।

Shri Tyagi: Are the Government aware that for a long time to come, on account of non-availability of power, it is not possible to open any big industry in U.P.?

Shri Manubhai Shah: Of course, this does not arise out of this particular question, but I appreciate the hon. Member's question. The U.P. Government is fully alive to the situation and I am quite sure that in the Third Plan more adequate provision will be made for electrification and supply of power in U.P.

Shri Tyagi: I wanted to know if the hon. Minister had enquired as to whether enough power was available now for them to proceed with this big project.

Shri Manubhai Shah: For this particular project the first question was more of raw material. If the raw material availability were there, we would have certainly gone further to enquire about the availability of power. But I thought that the hon. Member was asking in a general way.

Shri Tyagi: Why not both the questions be investigated together?

Mr. Speaker: That is a suggestion.

Shri C. E. Pattabhi Raman: If this project involved deforestation, do the Government propose to afforest side by side?

Shri Manubhai Shah: It is continuous cycle. The whole policy of afforestation and deforestation and utilisation of raw material is an integrated one. Nothing is allowed to be taken out which could not be re-planted.

Shri Ramanathan Chettiar: In view of the growing demand for newsprint in this country, what steps will Government take to have a newsprint plant established in addition to NEPA, even though U.P. may not be suitable on account of shortage of raw material?

Shri Manubhai Shah: It is a very important question and I am glad that the hon. Member referred to this. Government itself is very anxious and worried to do something for the manufacture of newsprint. So, the present approach and thinking is to perhaps consider a few plants manufacturing newsprint from imported mechanical and wood pulps and to so locate them as to be nearer the areas of forests so that when more raw material is available we can certainly switch over to indigenous pulp. This may help to save foreign exchange and make the country as self-sufficient as possible in the manufacture of newsprint.

Shri Achar: Has the Government considered opening up a newsprint factory to manufacture newsprint out of bamboo found on the Western Ghats?

Shri Manubhai Shah: Bamboo is not a fully suitable raw material for this purpose. It requires a long staple fibre and only spruce, firs and eucalyptus, that is, birchwood and long type of fibre, are required for this. Bamboo is good for the rest of the paper and rayon grade pulp.

की बहुत दर्जन इस समय जो जाच पड़ता है उससे क्या माननीय मंत्री की को समझाने है कि कब तक इस बारे में अन्तिम निर्णय हो सकेगा ?

को समझाने साह : वैसे तो एक प्रकार से अन्तिम निर्णय ही है। जैसा कि मैंने जवाब में कहा है, यहाँ पर रा मेटिरियल न होने की वजह से न्यूजप्रिंट का कारखाना लगाने की सम्भावना तो बहुत कम है। हम इस पर तब तक दे रहे हैं कि कागज का कारखाना जल्दी से जल्दी सोचा जाये और लगाया जाये।

Shri T. B. Vittal Rao: May I know whether the Government have given up the idea of manufacturing newsprint from bagasse?

Shri Manubhai Shah: No, Sir, not at all. All those efforts are continuing. I have merely mentioned that over and above the efforts made at Shakkarnagar, in which the hon. Member is obviously interested, we are also planning a few factories based on imported mechanical and wood pulps.

Salt Experts Committee

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*304. { Shri B. C. Munlick:
 { Shri P. K. Deso:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1014 on the 16th December, 1958 and state:

(a) whether Government have taken action to implement all the recommendations of the Salt Experts Committee of 1948 to increase the salt output in Orissa and to improve the quality thereof; and

(b) if so, the nature of action taken so far?

The Minister of Industry (Shri Manubhai Shah): (a) Most of the important recommendations of the Salt Experts Committee for the achievement of an increase in production and improvement in quality have been fully implemented.

(b) A statement is laid on the Table of the House

STATEMENT

(1) An area of 2,706 acres of Central Government lands in the State has been assigned for salt manufacture to private parties, including three co-operative societies

(2) Individual salt manufacturers are being constantly persuaded to organise themselves into co-operative societies consisting of active workers

(3) Common pumps for lifting brine have been installed by co-operative societies, and the latter are being constantly persuaded to construct common reservoirs

(4) The State Government has granted loans to the co-operative society concerned for improving its salt works, as recommended by the Committee

(5) The salt works concerned have been re-aligned on scientific lines.

(6) The single irrigation system has been adopted in all the Salt works in Orissa

(7) A Model Salt Farm has been established at Sumadi for educating the salt manufacturers in scientific methods of salt manufacture

(8) A meteorological post and a Chemical Laboratory have been established both at Humma and Sumadi

Shri B. C. Mullick. The Committee recommended the posting of an Assistant Salt Commissioner in Berhampur. May I know the action taken in this regard?

Shri Manubhai Shah: That has already been explained in my previous answer. It was not necessary to accept the recommendation to that extent whether a particular officer of the status of an Assistant Salt Commissioner is required or a field officer would be adequate. On reconsideration of the report we felt that it will be quite adequate for the Orissa salt industry to be looked after by a field

officer, and therefore no Assistant Salt Commissioner was appointed.

WRITTEN ANSWERS TO QUESTIONS

Contribution to Provident Fund

*298. { Shri Vajpayee:
Shri S. M. Banerjee:
Shri Jagdish Awasthi:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 1730 on the 8th April, 1959 and lay a statement showing

(a) the names of all the textile mills which have not paid their share of provident fund so far,

(b) the amount due from each of them

(c) whether it is a fact that eight mill-owners of Kanpur have been sued in the Civil Courts by the U.P. Government because of their failure to deposit provident fund money with Government, and

(d) if so whether their cases have since been decided?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) A statement is laid on the Table of the House [See Appendix I, annexure No 88]

(c) No

(d) Does not arise

Calcium Carbide

*299 Shri Vidya Charan Shukla: Will the Minister of Commerce and Industry be pleased to state

(a) how much calcium carbide is required annually for consumption in the country,

(b) how much of this requirement is met by indigenous production;

(e) the particulars of additional capacity that has been licensed through expansion of existing units and installation of new units to increase the indigenous production of this item; and

(d) by what time the country is expected to be self-sufficient in respect of this item?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

- (a) About 12,000 tons at present
- (b) About 3,800 tons
- (c) 24,600 tons by establishment of three new units and 16,450 tons by expansion of the 2 existing units
- (d) By 1980

International Exhibition of Documentary and Short Films

*302. Shri Subiman Ghose: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that several Indian films were entered in the International Exhibition of Documentary and Short Films held in Venice in July, 1959; and

(b) if so, what are those films and the details thereof?

The Minister of Information and Broadcasting (Dr Keshkar): (a) and (b) Two documentaries entitled "Folk Dances of India" and "Bhutan" both produced by the Films Division were entered in the International Exhibition of Documentary and Short Film held in Venice in July 1959

राष्ट्रीय नेताओं की कृतियों का प्रकाशन

*१०३. पंडित डा० ना० तिवारी . क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या राष्ट्रीय नेताओं तथा अन्य गणमान्य व्यक्तियों की पुस्तकों, लेखों और

नाटकों के प्रकाशन के लिये कोई निश्चित नीति बनाई गयी है;

(ख) यदि हां, तो उसका स्वरूप क्या है?

(ग) किन-किन महापुरुषों के लेखों को अब तक अब तक प्रकाशित किया गया है अथवा प्रकाशित करने का निश्चय किया गया है, और

(घ) इस कार्य के लिये चालू वर्ष में कितनी राशि नियत की गयी है ?

सूचना और प्रसारण मंत्री (डा० केशकर) : (क) से (ग). इस सम्बन्ध में कोई खास नीति नहीं बनाई गयी है ताहम यह निश्चय किया गया है कि महात्मा गांधी तथा नेताजी के भाषणों तथा लेखों का संग्रह प्रकाशित किया जाय । इसके प्रतिरिक्त डा० राजेन्द्र प्रसाद, श्री जवाहरलाल नेहरू, मौलाना आजाद और डा० रामकृष्णन् के चुने हुए भाषण तथा । या लेख भी प्रकाशित किये गये हैं ।

(घ) चालू वर्ष के बजट में २,७३,००० रुपये की राशि महात्मा गांधी ग्रन्थावली (क्लेटेड बक्स आफ महात्मा गांधी) के लिये नियत की गई है । अन्य प्रकाशनों के लिये कोई निश्चित राशि नियत नहीं की जाती है और उनका खर्चा प्रकाशन विभाग (पब्लिकेशन्स डिवीजन) तथा कन्ट्रोलर ऑफ प्रिंटिंग एण्ड स्टेशनरी के बजट में पूरा किया जाता है ।

Violation of India's Air Space

- *305 { Shri Tridib Kumar
Chandhuri:
Shrimati Masda Ahmed:
Shri Bibhuti Mishra:

Will the Prime Minister be pleased to state

(a) whether his attention has been drawn to the report published in the Amrita Bazar Patrika, Calcutta, on the 11th June, 1959 to the effect that air space over Calcutta was violated

thrice by non-Indian Jet aircraft on the 29th April and twice earlier in the first and second weeks of April, 1959;

(b) if so, the facts of the case; and

(c) what steps the Government have taken to remonstrate with the foreign Government concerned about this violation of India's air space?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes, Sir.

(b) and (c) On enquiry it has been found that no such violations took place.

President Nasser's Visit to India

*306. { Shri Panigrahi:
Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state.

(a) whether there has been any official confirmation with regard to the impending visit of President Nasser to India; and

(b) whether Government have received any official intimation from President Nasser regarding the time of his visit to India?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) We have invited President Nasser to visit India at his convenience, he has agreed to come, but no dates have been fixed for the visit. We hope it will be possible for him to come some time in the Autumn.

Integrated Heavy Machine Building Plant Ranchi (Bihar)

*307. { Shri M. R. Krishna:
Shri Bibbuti Mishra:
Dr. Ram Subhag Singh:
Shri Ram Krishan Gupta:
Shri Raghunath Singh:
Shri Pabalia:

Will the Minister of Commerce and Industry be pleased to refer to the

reply given to Starred Question No. 1163 on the 19th December, 1958 and state:

(a) whether the detailed project report in connection with the setting up of an Integrated Heavy Machine Building Plant at Ranchi (Bihar) has since been received by Government;

(b) if so, the main features thereof;

(c) the contribution of the U.S.S.R. for the setting up of the above Plant; and

(d) the progress made so far in regard to the preliminary works for the setting up of the Plant?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House

STATEMENT

The Detailed Project Report for the Heavy Machine Building Plant to be set up by utilising a portion of the 500 million roubles credit offered to the Government of India by the Government of the U.S.S.R., for which an Agreement was entered into between the Governments of India and the U.S.S.R. on the 9th November, 1957, has since been received and is under examination.

The Heavy Machine Building Plant will undertake the manufacture of heavy machinery and equipment with an initial capacity of 45,000 tons per annum in the first stage which will be stepped upto 80,000 tons per annum in the second stage. The items of machinery and equipment proposed to be manufactured in this Plant will be primarily for catering to the needs of the Iron and Steel industry with additional capacity to enter to the needs of other heavy engineering industries. The Detailed Project Report contains Technical data on main production shops, auxiliary shops, Administration and Engineering buildings, Central Laboratory and Stores. It also covers

aspects relating to Civil Engineering and Building works, Electric and other power supply, process equipment etc. etc.

2 Preparatory work is in progress regarding acquisition of land, levelling and dressing of the plant site, construction of field offices, staff quarters, hostel, godowns and storage houses, building of a dam by the State Government for the supply of water and construction of additional transmission facilities for power requirements of the plant during construction stage

Swang Railway Colliery

30 { Shri Kunhan:
Shri T. B. Vittal Rao:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 2229 on the 5th May, 1958 and state

(a) whether the Court of Inquiry under Regulation No 48 of the Indian Coal Mines Regulation, 1925 set up to inquire into the conduct of the Manager of Swang Railway Colliery for violation of the provisions of the Mines Act, 1952 has since submitted its report,

(b) if so, the decision of Government thereon, and

(c) whether a copy of the report will be laid on the Table?

The Deputy Minister of Labour (Shri Abid Ali): (a) No

(b) and (c) Do not arise

गन्दी बस्तियों को हटाने की योजनाएँ

31 { डा० राम सुभद्र सिंह
श्री बहादुरा

क्या निर्माण, आवास और सार्वजनिक सुविधाएँ पर एक विवरण ऐसा रखने की कृपा करेंगे जिससे यह बताया जा सके कि

(क) देश में अब तक गन्दी बस्तियों को हटाने की कुल कितनी योजनाएँ लागू की गयी हैं,

(ख) भारत सरकार ने इन योजनाओं पर अब तक कितना व्यय किया है, और

(ग) कुल कितने परिवारों के लिये अब तक रहने के मकान बनाये गये हैं?

निर्माण, आवास तथा सार्वजनिक सुविधाएँ (बी) अनिल कुमार झा (क) श्री (ख) मांगा गया विवरण सभा की मेज पर रख दिया गया है। [देखिये परिशिष्ट १, अनुसूचक सभा पृष्ठ ८६]

Migration of Tribals from Chittagong to Tripura

*310. Shri Bangshi Thakur: Will the Prime Minister be pleased to state-

(a) whether it is a fact that due to repressive measures that have been recently adopted by the Pakistan Authorities in Chittagong Hill tracts in East Pakistan many tribals from Chittagong Hill Tracts are coming over to Tripura; and

(b) if so, whether the tribals who are coming to Tripura are treated as refugees?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) and (b) The Government have not received any report that as a result of oppressive measures in East Pakistan some Tribals from Chittagong Hill Tracts have migrated to Tripura

Ajodhya Textile Mills, Delhi

*311. Shri S. M. Banerjee: Will the Minister of Commerce and Industry be pleased to state

(a) whether the Inquiry Committee appointed to investigate into the working of Ajodhya Textile Mills, Delhi has submitted its report and

(b) if so, the steps taken by Government to reopen the Mill?

The Minister of Commerce (Shri Kamunge): (a) and (b) The Investigation Committee has submitted an

interim report which is now under Government's consideration. In the meanwhile, efforts are being made by the management of the mills to re-open the mills shortly.

Admission of China to U.N.

*312. Shri Pahadia: Will the Prime Minister be pleased to state:

(a) whether it is a fact that Government have decided to submit an item about the admission of China to the U.N. for inclusion in the agenda of the next meeting of the General Assembly; and

(b) whether the happenings of last year and deeds of China were kept in view while taking this decision?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) The Government of India have suggested the inclusion of an item entitled "Question of the representation of China in the United Nations" for discussion in the forthcoming session of the General Assembly of the United Nations. China is already a member of the United Nations and the only question is who should represent China. In our opinion it is totally unrealistic and wrong to have China represented by some people from Formosa. We are convinced that the main objectives of the United Nations would be more and more difficult to achieve if the true representatives of a vast country like China are not allowed to participate in this world organisation. Our decision, therefore, to seek proper representation of China in the United Nations has no relevance to the developments in China.

Shifting of Central Government Offices from Delhi

*313. { Shri Hem Raj:
Shrimati Ila Palchoudhuri:
Shri P. C. Borooah:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No. 16

on the 11th August, 1958 and lay a statement showing:

(a) the further progress made in shifting of the Central Government offices outside Delhi;

(b) the number of offices shifted so far to different places, indicating their names and places?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A statement indicating the information asked for is placed on the Table of the House [See Appendix I, annexure No. 90].

Indian Trade Delegation to Iraq

*314. Shri Hem Barua: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that an Indian Trade and Goodwill Delegation visited Iraq in May, 1959 and suggested various long-term and short-term measures for the development of trade between the two countries,

(b) if so, what are they, and

(c) the steps Government have so far taken to implement the suggestions?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) and (b) An un-official trade delegation visited Iraq in May, 1959 and has submitted a report. A copy of the abridged report has been placed in the Parliament Library.

(c) A statement is placed on the Table of the Sabha [See Appendix I, annexure No. 91].

Uranium

*315 Shri Narasimhan: Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1585 on the 31st March, 1959 and state the results of investigation so far made in respect of the quantity

and quality of the Uranium bearing rocks in Suryamali Hills and adjoining area of Salem District of Madras State?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): Exploratory drilling has recently been started in the area. The quantity and quality of the ore from the above deposit can be assessed only after a sufficient amount of drilling followed by development work has been carried out. The work is in progress.

Displaced Persons from East Pakistan

*316. Shri Muhammed Elias: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No 988 on the 6th March 1959 and state

(a) the total number of displaced persons still squatting at Sealdah Station, and

(b) how long it will take to rehabilitate them?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b) A statement is laid on the Table of the Lok Sabha [See Appendix I, annexure No 92]

Manufacture of Small Cars

*317. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to lay a statement showing

(a) the number of small cars to be produced in India in 1959; and

(b) the details of cars to be manufactured by each unit?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) A statement is laid on the Table of the House.

STATEMENT

There are three light cars being manufactured in the country by the following manufacturers as shown against each:

| Name of Manufacturer | Name of Car | |
|--|----------------------|--------|
| 1 M/s Hindustan Motors Ltd., Calcutta. | Hindustan Ambassador | (1859) |
| 2 M/s. Premier Automobiles Ltd., Bombay | Fiat '1100' | (1837) |
| 3 M/s. Standard Motor Products of India Ltd., Madras | Standard '10' | (615) |

Total 4311

The production of these cars during the first six months of 1959 was 4311 Nos. The number to be produced during the latter half of the year is expected to improve considerably as sufficient foreign exchange for the import of components and raw materials needed for indigenous manufacture has been released. It is estimated that the production for the whole year may reach 12,000 Nos or so.

Barter Deal with U.S.A

*318. { Shri Ram Krishan Gupta:
Shri Vidya Charan Shukla:
Shri Morarka:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 718 on the 26th February, 1959 and state at what stage stands the barter proposal for US cotton against Indian Mica?

The Minister of Commerce (Shri Kanungo): The proposal is still under examination.

Film Production Bureau

*319 { Shri Barman:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri D. C. Sharma:
Shri Bhakti Darshan:

Will the Minister of Information and Broadcasting be pleased to refer

to the reply given to Starred Question No. 1132 on the 11th March, 1959 and state:

(a) whether the Film Production Bureau has since been set up; and

(b) if so, the nature of work it has taken up?

- The Minister of Information and Broadcasting (Dr. Keshkar): (a) and (b). A draft scheme has been prepared by the Special Officer appointed for that purpose. Various points raised in that scheme are at present being examined in consultation with other Ministries. It might also be necessary to consult the film trade, more especially the producers, to have their reaction regarding the procedure and the scope of work.

Only after all these preliminaries have been carried out, the Production Bureau can be expected to start work. The Bureau's main work will be to give advice on themes and scripts for films which are going to be produced.

Indians Kidnapped by Pakistanis

*326. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 828 on the 3rd March, 1959 and state

(a) whether there has been any correspondence between the Governments of India and Pakistan with regard to the 21 Indian nationals who were kidnapped and 3 boats loaded with jute captured by the Pakistani Military personnel in River Padma near Nurpurkati (West Bengal) in the third week of November 1958, and

(b) if so, the nature thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) The Government of India through their High Commissioner at Karachi and Deputy High Commissioner at Dacca have been vigorously pursuing this matter. As a result of their efforts, the 21 kidnapped persons have already been released by Pakistani authorities.

As regards the three boats and cargo of jute, Pakistan has linked this question with release by India of some Pakistani boat confiscated in the Western border. The matter is still under consideration.

Accident in Jaitwara Gairo Mine

*321. { Shri Raghunath Singh:
Shri Achar:
Shri Sarjan Pandey:

Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that nine persons were killed on or about the 18th May, 1959 in a Gairo mine in Jaitwara nearly 100 miles away from Jabalpur, and

(b) if so, the cause of accident?

The Deputy Minister of Labour (Shri Abid Ali): (a) An accident occurred on the 14th May, 1959 in Serima white earth mine about 20 miles from Jaitwara as a result of which four persons were killed and two seriously injured.

(b) Fall of roof

भारत-गोष्ठा सीमा का उत्खनन

*३२२ श्री बाजपेयी क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि गोष्ठा के कुछ व्यक्ति जून, १९५९ के प्रथम सप्ताह में अनधिकृत रूप से सामन्तवाडी के निकट भारत की सीमा में घुस गये,

(ख) यदि हा, तो उन व्यक्तियों की संख्या क्या है, और क्या उनके पास शस्त्र भी थे;

(ग) क्या यह सच है कि भारतीय सीमा के उत्खनन के परिणामस्वरूप सीमावर्ती क्षेत्रों में कुछ तनावपूर्ण स्थिति पैदा हो गयी थी; और

(घ) जिसमें से सीमा उत्खनन की इस प्रकार की घटनाओं को रोकने के लिये सरकार ने क्या कार्यवाही की है ?

विशेष उपबन्धी (बीमती लक्ष्मी मेहन) :

(क) जी हाँ।

(ख) ठीक संख्या का पता नहीं है। जहाँ तक हमें मालूम है, जबरदस्ती युद्ध आने वाले लोग इस इलाके में जंगल काटने के लिये सिर्फ़ धोखा ले गये हैं।

(ग) जून में कुछ तनाव था, लेकिन अब वह ठंडा पड़ गया है।

(घ) इस सीमा पर हम नें सेना बढ़ा दी है और ऐसे अन्य उपाय करते हैं जिससे हमारी सीमा पर इस तरह का उत्पन्न न हो।

दिल्ली में आकाशवाणी बीबीसीटोरियम

*३२३ श्री भक्त बर्मान क्या लूकना और प्रसारण मंत्री १६ मार्च, १९५६ के तारकित प्रश्न सख्या १४०४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि दिल्ली के आकाशवाणी केन्द्र में एक बीबी-टोरियम के निर्माण के बारे में इस बीच क्या प्रगति हुई है ?

लूकना और प्रसारण मंत्री (डा० केशव) बीबीटोरियम बनाने का नकशा तैयार हो गया है और अन्य प्रारम्भिक कार्य हाथ में ले लिया गया है।

निर्माण कार्य में पोझोलोन का प्रयोग

*३२४ पंडित डा० ना० तिवारी क्या निर्माण, आवास तथा संरक्षण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पुला और मकानों के निर्माण में सीमेंट के स्थान पर पोझोलोन का प्रयोग करने की सलाहना की जाच की गयी है,

(ख) यदि हा, तो क्या केन्द्रीय सरकार की इमारतों के बनाने में उसका इस्तेमाल किया जाता है, और

(ग) इसका प्रयोग करने के परिणाम-स्वरूप अब तक कितने सीमेंट की बचत हुई है ?

निर्माण, आवास तथा संरक्षण उपबन्धी (श्री अनिल कु० चट्वा) (क) हाँ।

(ख) केन्द्रीय सरकार द्वारा बनाई गई इमारतों में पोझोलन (Pozzolans) का प्रयोग अधिक उपयोगी नहीं होगा।

(ग) मवाल पैदा ही नहीं होता।

Jute

*325. Shri Tridib Kumar Chandhuri: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Indian Jute Mills Association of Calcutta has taken a decision to unseal 1½ per cent of Jute looms belonging to its members with effect from the 22nd June, 1959 thus restoring 12½ per cent of its total complement as against 14 per cent before that date;

(b) the reasons for this decision; and

(c) whether the Government or the Jute Commissioner appointed in Calcutta were consulted by the Indian Jute Mills Association in this regard?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir

(b) To increase production with a view to meeting reviving demand

(c) Yes, Sir

Doles to Displaced Persons

*326. Shrimati Ila Palchoudhuri: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that doles to about 300 to 400 displaced persons from East Pakistan living in Camps in West Bengal were stopped following their participation in a refugee movement;

(b) whether it is also a fact that on various representations having been made, the Government of India had agreed to provide relief to the people at Rs. 4 per month per head;

(c) if so, whether that has been paid regularly; and

(d) if not, the reasons therefor?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The doles of only those displaced persons were stopped who had taken part in unlawful activities.

(b) and (c). No, but some gratuitous relief has been given by the State Government.

(d) Does not arise.

Dandakaranya Area

*327. Shri Panigrahi: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether paddy has been planted in the reclaimed agricultural land in the Dandakaranya area;

(b) if so, the acreage of reclaimed land in the area under paddy cultivation; and

(c) whether certain areas have been set apart for mechanised cultivation?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes

(b) 441 acres.

(c) No area has been set apart for mechanised cultivation at Pharasgaon but harrowing has been done with the help of tractors during the current season to eradicate the vegetation in reclaimed lands.

Zinc and Lead Smelter Plant in Udaipur

*328. { Shri T. B. Vittal Rao:
Shri Raghunath Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any proposal to set up a Zinc and Lead Smelter plant at Udaipur;

(b) if so, the details thereof; and

(c) whether the plant will be in public or private sector?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A firm has submitted a proposal to set up a zinc smelter at Udaipur, with an initial annual installed capacity of 10,000—15,000 tons and ultimate capacity of 30,000 tons. Cadmium and sulphuric acid will also be produced, the latter being used to manufacture super phosphates. The proposals are under consideration.

Export of 'Chikan' Cloth

*329. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there is a demand for 'chikan' cloth of Lucknow in foreign countries;

(b) if so, the steps taken to encourage its export;

(c) which are the major countries interested in 'chikan' cloth of Lucknow; and

(d) the quantity of 'chikan' cloth exported from Lucknow during 1959 upto the 30th June, 1959?

The Minister of Commerce (Shri Kanungo): (a) to (d) The information is being collected and will be laid on the Table of the House

Nangal Fertilizers and Chemicals Limited

{ Shri D. C. Sharma:
Shri Ram Krishan Gupta:
Shri Subodh Hanada:
*330. { Shri S. C. Samanta:
Shri Daljit Singh:
Shri Hem Raj:

Will the Minister of Commerce and Industry be pleased to state:

(a) the progress made so far in setting up the Nangal Fertilizers and Chemicals Ltd.;

(b) whether any supply has been received so far from M/s. Linde of West Germany which has been awarded the contract for the supply, erection and commissioning of the Heavy Water Plant; and

(c) if so, the details thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) A statement is laid on the Table of the House. [See Appendix 1, annexure No 93]

(b) and (c) No, Sir FOB delivery is expected to start by the end of February, 1960

Wage Boards for Industries

- *331. { Shri Ram Krishan Gupta:
Shri Damani:
Shri Kunhan:
Shri T. B. Vittal Rao:
Shri Aurobindo Ghosal:
Shrimati Parvathi Krishnan:
Shri Tangamani:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 1804 on the 14th April, 1959 and state

(a) the progress since made by the Wage Boards for Cotton Textiles, Sugar and Cement Industries,

(b) whether the Boards have submitted their final reports; and

(c) if not, the steps taken by Government to expedite the completion of the reports?

The Deputy Minister of Labour (Shri Abid Ali): (a) (i) **Textile Wage Board.**—The Board has been engaged in studying the evidence collected so far and meetings are proposed to be held shortly for final deliberations of certain matters

(ii) **Sugar Wage Board.**—Public hearings are in progress.

(iii) **Cement Wage Board.**—Public hearings of the Boards have concluded. Tentative conclusions on various issues are being considered by the Board.

(b) No.

(c) Considering the complex nature of the work entrusted to the Wage Boards, Government consider the progress made by the Boards to be satisfactory. Consequently no action is called for or even feasible

Majumdar Tribunal Award

*332. **Shri Tridib Kumar Chandhuri:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the Sub-Committee of the Industrial Committee on Coal Mining have agreed unanimously to refer the outstanding issues relating to the Majumdar Tribunal's Award of 1956 to an Arbitrator,

(b) if so, what were these outstanding issues,

(c) what are the terms of reference under which the Arbitrator will be required to give his Award; and

(d) the date by which the Arbitrator's Award would be implemented by the employers?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) The Sub-Committee of the Industrial Committee on Coal Mining has agreed that all the demands which were discussed at the various tripartite conferences from the date the Coal Award came into force, i.e., 26th May, 1956, to the 21st February, 1959, and not settled, be referred to arbitration.

(c) and (d). The terms of reference to the Arbitrator are to determine which of the demands arise out of the Coal Award and which of them do not arise out of the Award and, then to give his decision on them. It has also been agreed that in respect of the

items which in the opinion of the Arbitrator, do not arise out of the Award, his decision shall not have retrospective effect

Chilika Land Reclamation Scheme

*333. **Shri Panigrahi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the Chilika land reclamation scheme in Orissa undertaken for resettling the East Pakistan refugees has proved successful;

(b) if so, acreage of land reclaimed so far; and

(c) how much of this agricultural land has been allotted to displaced persons up till now?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes.

(b) 3,222 acres

(c) 2,687 acres

Plan Publicity in Punjab State

515. **Shri Ram Krishan Gupta:** Will the Minister of Information and Broadcasting be pleased to state the amount of money spent for Plan publicity in Punjab during 1958-59?

The Minister of Information and Broadcasting (Dr. B. V. Keskar): Plan Publicity in the States is mainly the function of the State Government concerned. During the year 1958-59 the Punjab Government incurred an expenditure of Rs 633 lakhs on Plan Publicity.

Under the Integrated Publicity Programme for the Second Plan, this Ministry is also responsible for giving general publicity to the Plan and the development works included therein, on all India basis, through its various Media Units. As the expenditure is not looked State-wise, it will not be possible to give figures of expenditure incurred in Punjab under the Programme.

Gita Colony, Delhi

516. **Shri D. C. Sharma:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 676 on the 23rd February, 1959, and state the further progress made in providing proper drainage system, roads and electric connections in Gita Colony, a displaced persons Colony near Gandhi Nagar, Delhi?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The position in respect of the drains and roads in the additional 100 acres area is as under:—

Drains

Work has been completed

Roads

Tenders were called on 6 occasions, but the response was poor. A tender has been accepted on the 7th call and the work has started

(b) **Street Lighting**

Delhi Municipal Corporation have decided to take up the work

Board for Light Music Audition

517. **Shri Ram Krishan Gupta:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 461 on the 18th February, 1959 and state the progress made so far in setting up a board for light music audition?

The Minister of Information and Broadcasting (Dr. Keskar): The details are still being worked out

Central Assistance to Bombay State

518. **Shri Pangarkar:** Will the Minister of Planning be pleased to state:

(a) the Central assistance given to the State of Bombay for the fourth year of the Second Five Year Plan;

(b) whether there was any shortfall in the Plan expenditure of the State Government during the year 1958-59; and

(c) if so, to what extent?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Rs 28.50 crores have been allocated for the State Plan for 1959-60

(b) The figures of actual expenditure have yet to be reported by the State Government

(c) Does not arise

Plan Projects in Bombay State

519. Shri Pangarkar: Will the Minister of Planning be pleased to state the progress made so far (year-wise) in implementing the projects which have been approved by the Planning Commission in Bombay State to increase the food output during the Second Five Year Plan?

The Deputy Minister of Planning (Shri S. N. Mishra): A list of the Schemes in the Second Five Year Plan of Bombay and their progress during the first two years is given below [See Appendix I, annexure No 94] No information is yet available about the progress achieved during 1958-59

Allotment to Bombay for Second Five Year Plan

520. Shri Pangarkar. Will the Minister of Planning be pleased to state

(a) the amount lapsed out of the total amount allocated to Bombay Government during the first three years of the Second Five Year Plan, and

(b) the reasons therefor?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b) The State Government has been requested for the necessary information which will be laid on the table of the House as soon as it is received

Development of Technical Training in Bombay State

521. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state

(a) the amount given as grants-in-aid during 1958-59 to the Bombay State for the development of technical training; and

(b) the heads on which it has been used?

The Deputy Minister of Labour (Shri Abid Ali): (a) Rs 7,99,497

(b) Under the head 'Development of the scheme for the training of Craftsmen'

धम्वर चर्खा

५२२. श्री म० ना० सिंह क्या वास्तविक तथा उद्योग मंत्रा यह बताने की कृपा करेंगे कि

(क) क्या सरकार को ज्ञात है कि धम्वर चर्खा के केवल मोटे सूत धर्षात् १६ नम्बर तक की ही माग है और १६ नम्बर से ऊँचे नम्बर के सूत के लिये भी वही मूल्य दिया जाता है,

(ख) क्या सरकार को यह भी मालूम है कि ५० प्रतिशत कटौती के बाद इससे कातने वाला को घाटा उठाना पड़ता है और उनके लिये दाना समय भोजन जुटाना भी मुश्किल हो जाता है

(ग) क्या यह सच है कि इस कारण से कातने वाले धम्वर चर्खों को छाड़ते जा रहे हैं और बहुत से चर्खों को लौटा रहे हैं, और

(घ) यदि हा, तो इस बात का प्रबन्ध करने के लिये जिसमें धम्वर चर्खों के कातने वालों को उचित पारिश्रमिक मिल सके, सरकार क्या कार्यवाही करना चाहती है ?

उद्योग मंत्रा (श्री मनुभाई शाह)

(क) मौजूदा प्रबन्ध के अनुसार १६ नम्बर और उससे नीचे का सूत ही बुनाई के लिये

अधिक उपयुक्त होता है। बिहार और उत्तर प्रदेश की सस्पाएँ धामतीर पर १६ नम्बर तक के सूत को ही प्रोत्साहित करती हैं। हमें ऐसी कोई सूचना नहीं मिली है कि ये सस्पाएँ ऊँचे नम्बर के सूत को लेने से इन्कार करती हैं और ऊँचे नम्बर के सूत के लिये भी नहीं मजदूरी देती हैं।

(क) और (ग) हमें इसकी कोई जानकारी नहीं है।

(घ) यह प्रश्न ही नहीं उठता। चरखे और बेलनी में कई सुधार किये गये हैं जिससे उससे कटाई अच्छी हो और कातने वाले अधिक सूत कात सकें।

Pharmaceutical Plant

523. Shrimati Mafida Ahmed: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 2235 on the 5th May, 1959 and state

(a) whether any final decision has been taken in regard to the setting up of a pharmaceutical plant in India in collaboration with M/s Bengers, and

(b) if so, the terms of the agreement reached with M/s Bengers?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The scheme has been approved subject to the final terms of collaboration and import of machinery and equipment being acceptable to Government

Ambar Charkha

524. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state whether it is a fact that the Ambar Charkha centres are refusing to purchase the Ambar Charkha yarn from the spinners due to the accumulation of stocks?

The Minister of Industry (Shri Manubhai Shah): No such case has come to the notice of Government

If the Hon'ble Member brings to the notice of the Government or the Commission, Government will be glad to immediately look into the matter.

Employment of Displaced Persons in Tripura

525. Shri Dasaratha Deb: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total number of persons or organisations who have been granted industrial loans by the Tripura Administration for creating employment for displaced persons in Tripura;

(b) the total number of displaced persons employed by each of them,

(c) names of persons or organisations who have failed to provide employment, and

(d) the steps taken to realise loans in such cases?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 70 (as on 31st March, 1959)

(b) A statement is placed on the Table of the Sabha [See Appendix I, annexure No 95]

(c) (i) Shri Subal Chandra Deb

(ii) Shri Gopal Krishna Dutta Choudhury

(iii) M/s Harina Sarbartha Sadhak Samabaya Samity Ltd

(d) Demand Notices have been served on the parties for realisation of the loan advanced

Exhibition at Indian Trade Centre, Cairo

526. Shri P. G. Deb: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that an exhibition of Indian silk and nylon products was held at Indian Trade Centre in Cairo in May 1959;

(b) if so, the amount spent thereon; and

(a) the number of visitors to the exhibition?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) There was no exclusive display of Indian silks and nylons at the Indian Trade Centre in Cairo in May, 1959. However, an exhibition of Indian products and materials of special interest to ladies was held at the Trade Centre between 9th May and 15th May, 1959, wherein Indian silk and nylons were also displayed

(b) The total expenditure in India was Rs. 28,333.28 including the value of exhibits (Rs. 23,643.99) purchased and sent by the Directorate of Exhibitions. Information in respect of expenditure incurred in Cairo has not yet been received

(c) Approximately 700 persons

Closure of Textile Units in Amritsar

527. Shri P. G. Deb: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that about 500 textile units working in artificial silk have closed down in Amritsar;

(b) if so, the reasons for the closure; and

(c) the steps taken by Government to avert their closure?

The Minister of Commerce (Shri Kanungo): (a) No, Sir

(b) and (c) Do not arise

Loss of Man-days in Textile, Jute and Engineering Industries

528. Shri Anthony Pillai: Will the Minister of Labour and Employment be pleased to state:

(a) the number of man-days lost since 1st April, 1957 due to lockouts and lay-off, for reasons other than strikes in the Textiles, Jute and Engineering Industries;

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(b) the number of man-days lost because of lay-off in the Engineering Industry as a result of shortages in imported raw materials; and

(c) the number of men retrenched in the said industries since 1st April, 1957?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). The information required is not available. The expenditure involved in collecting the information will not be commensurate with the object in view.

Port and Dock Workers

529. Shri Anthony Pillai: Will the Minister of Labour and Employment be pleased to lay a statement showing

(a) the issues raised by Port and Dock Workers at each of the Major Ports, which were referred to Tribunals for adjudication or arbitration since January 1956 along with the dates of the gazettes in which their awards were published;

(b) the issues raised by Port and Dock Workers at the Major Ports, on which the conciliation Officers were able to effect a settlement, since January 1956; and

(c) the issues which Government refused to refer to Tribunals for adjudication?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). The information is not available. It is considered that the time and labour involved in collecting it will not be commensurate with the object to be achieved

Newsprint Expert from West Germany

530. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether West Germany has lent the services of a technical expert in connection with the manufacture of newsprint by new processes;

(b) if so, the nature of new processes evolved; and

(c) the estimated amount spent on the services of the technical expert from West Germany?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) Yes, Sir. The services of a West German expert have been secured to advise the Government of India in the independent assessment of the neutral mono-sulphite (semi-chemical) process for manufacture of Newsprint from bagasse.

(c) The services of the technical expert were made available free of cost. Only the local expenses, viz. travel expenses within India, boarding charges and incidental out of pocket expenses amounting to about Rs 1700 were met by the Government of India.

International Film Festival at Berlin

531. Shri P. G. Deb: Will the Minister of Information and Broadcasting be pleased to state

(a) the names of the Indian films which were entered in the International Film Festival held at Berlin in June, 1959, and

(b) the results of the festival in so far as Indian films are concerned?

The Minister of Information and Broadcasting (Dr Keskar): (a)

- | | |
|--------------------|---------------------|
| 1. "Sagar Sangame" | (Bengali)— |
| | Feature Film |
| 2. "Radha Krishna" | } Documentary Films |
| 3. "Kerala" | |

(b) Documentary film "Radha Krishna" was awarded "Berlin Bear in Silver".

Employment of Women

532 Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 796 on the 2nd March 1959, and state the progress made so far in evolving an employment policy for women, particularly in the rural areas as suggested by the All India Conference of Social

Workers for Women's Welfare which met in Lucknow in 1959?

The Deputy Minister of Labour (Shri Abid Ali): The Government of India have not received any communication from the All-India Conference of Social Workers for Women's Welfare or from any other organization, regarding the subject mentioned in the question.

Asian-African Legal Consultative Committee

**533 { Shri D. C. Sharma:
Shri Rajendra Singh:**

Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No 2838 on the 8th April, 1959 and state

(a) whether the report submitted by the Indian delegation that attended the session of Asian-African Legal Consultative Committee held at Cairo in October, 1958 has since been examined and

(b) if so the decisions taken thereon?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b) The Report of the Indian delegation to the Cairo Session of the Asian-African Legal Consultative Committee has been examined. It points out that the following 7 subjects were considered by the Committee

- (1) Diplomatic immunities,
- (2) Principles of extradition,
- (3) Immunity of a State in respect of commercial transactions
- (4) Dual citizenship
- (5) Status of aliens,
- (6) Recognition of Foreign decrees in matrimonial matters, and
- (7) Free legal aid

Items (2), (4), (5), (6) and (7) will be further discussed by the Committee at its future sessions. The Committee

was, however, able to prepare final reports on items (1) and (3). These two reports have been sent by the Committee's Secretariat to all participating Governments for their comments and the Government of India are now preparing detailed comments for submission to the Committee.

Pilgrims from India to Pakistan

534 { Shri D. C. Sharma:
Shri Bibhuti Mishra:
Shri Daljit Singh:

Will the Prime Minister be pleased to state

(a) the number of pilgrims from India who attended the religious fairs on both the wings of Pakistan during 1958-59,

(b) the facilities provided by the Pakistan Government to these pilgrims, and

(c) whether these pilgrims have made any representation in regard to the condition of their shrines in Pakistan?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The number of pilgrims who attended religious fairs in West Pakistan in Government sponsored parties from January 1958 to date is 3192. This figure does not include pilgrims to the Nankana Sahib in West Pakistan, or to shrines in East Pakistan. Pilgrims are allowed to go to these shrines on an individual basis and the exact numbers of them are not available.

(b) The Government of Pakistan provided usual facilities of transport board and lodging on payment.

(c) No, Sir.

Non-Payment of Dues by Displaced Persons

535. Shri D. C. Sharma. Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) the number of persons who have been arrested for non-payment of their dues under Section 30(2) of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, and

(b) the amount realised from them?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) None.

(b) Does not arise.

Social Security Scheme for Industrial Workers

536. { Shri D. C. Sharma.
Shri Ram Krishan Gupta

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 238 on the 13th February, 1959 and state

(a) whether Government have since examined the report of the study group appointed to formulate a comprehensive Social Security Scheme for industrial workers, and

(b) if so the decisions taken thereon?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) The Report is still under examination in consultation with the interests concerned.

Environmental Sanitation in NEFA

537. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 3759 on the 30th April, 1959 and state the further progress made so far in implementing the remaining recommendations of the body of experts appointed to assess the environmental sanitation for NEFA?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Rs. 77,000 have since been spent on the implementation of 8 water supply schemes giving benefits to 151 villages. In addition, 59 wells and 32 water points have been renovated in

the NES Blocks and 288 latrines improved or reconstructed. 138 villagers were trained in elementary hygiene and First Aid

Recording of Speeches of Eminent Leaders

538 { Shri D. C. Sharma:
Shri Pangarkar:

Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No 2694 on the 3rd April, 1959 and state the latest position with regard to the recording of speeches of eminent leaders?

The Minister of Information and Broadcasting (Dr. Keskar): A statement giving the information is given below —

STATEMENT

| Name of personalities whose speeches are being processed | Further duration of records processed since 1st April 1959 |
|--|--|
| (1) Mahatma Gandhi | 3 |
| (2) Sardar Patel | 45 |
| (3) Smt Sarojini Naidu | 30 |
| (4) Nanalal Kavi | 24 |
| (5) Netaji Subhas Chandra Bose | 15 |

Hrs Mts

| | | |
|--------------------------------|---|----|
| (1) Mahatma Gandhi | 3 | 5 |
| (2) Sardar Patel | | 45 |
| (3) Smt Sarojini Naidu | | 30 |
| (4) Nanalal Kavi | | 24 |
| (5) Netaji Subhas Chandra Bose | | 15 |

Partition Committee

539. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No 1507 on the 6th March 1959 and state

(a) whether any meetings of the Partition Committee of the Government of West Pakistan and Punjab have since been held to discuss matters regarding which agreement was not reached earlier, and

(b) if so, the matters regarding which decisions have been reached?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) No Sir

(b) Does not arise

U.N. Economic Commission for Asia and Far East

540. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 833 on the 3rd March, 1959 and state:

(a) whether the report from the Indian Delegation that attended the meeting of the U.N. Economic Commission for Asia and Far East on the promotion of trade held at Bangkok in January, 1959, has been examined, and

(b) if so, the decisions taken thereon?

The Minister of Commerce (Shri Kanungo). (a) Yes, Sir

(b) The report suggests that there is scope for expanding India's trade with South East Asian countries—

(a) Promotion of trade contacts;

(b) Improved shipping,

(c) Arbitration facilities,

(d) Organisation of wider publicity of competitive Indian goods, and

(e) Scope for expansion of exports of particular commodities in respect of countries of the region

The Government of India has decided to further explore the possibilities of expansion of India's trade on the above lines and has brought to the notice of the trade and authorities concerned the details of commodities in which likely markets exist in the countries of the region based on information given in the report

Ghani Oil and Neem Oil Scheme in Punjab

541. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Ghani oil and neem oil scheme in Punjab has been put off, and

(b) if so, the reasons therefor?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

General Agreement on Tariff and Trade

543. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1565 on the 31st March, 1959 and state:

(a) whether the report submitted by the Indian Delegation to the 13th Session of General Agreement on Tariff and Trade has been studied; and

(b) if so, the nature of the decisions taken?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) The nature of the problems dealt with in the report is not such as to require any particular decision on the part of Government. In the light of the developments in regard to these problems, Government have, however, been pressing, both in the GATT and outside that organisation, that the industrially advanced countries should revise their unduly restrictive and protectionist trade policies and provide greater facilities to the less-developed countries like India to increase their export trade.

An indication of the progress made in this direction will be available from the report of the Indian Delegation to the 14th Session of the GATT held in May, 1959, which will be laid on the Table of the House shortly.

Indo-China

543. { Shri D. C. Sharma:
Shri Shree Narayan Das:
Shri Radha Raman:

Will the Prime Minister be pleased to refer to the reply given to Starred

Question No. 371 on the 18th February, 1959 and state:

(a) whether any further efforts have since been made by the Government of India to end the deadlock in Indo-China; and

(b) if so, with what results?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). There has been no progress in so far as Vietnam is concerned. In Laos, difficulties have arisen and references have been made by the Government of India to the two Co-Chairmen.

Evaluation and Implementation Committee

544. { Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of Labour and Employment be pleased to state:

(a) how many times the Central Evaluation and Implementation Committee has met in the year 1959 (upto the end of July 1959); and

(b) whether the Committee has assessed the extent of non-implementation of labour laws?

The Deputy Minister of Labour (Shri Abid Ali): (a) No meeting of the Central Implementation and Evaluation Committee took place in 1959, upto the 31st July. A meeting is scheduled for August 13, 1959.

(b) At a meeting held on September 20, 1958, the Committee considered inter alia, the extent of non-implementation of labour laws.

Irregular Allotments of Land

545. Shri Ram Krishan Gupta: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to his statement made in Lok Sabha on 11th April, 1959 and state:

(a) whether Government have since examined the report of the Enquiry Officer appointed to investigate into

the complaints of irregular land allotments;

(b) if so, the results thereof; and

(c) whether a copy of the report will be laid on the Table?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The report is still under examination.

(b) Does not arise.

(c) No. This is only a preliminary departmental report on which Government have to take a decision whether a detailed inquiry was required or not.

Second Five Year Plan

546. Shri Ram Krishan Gupta: Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 960 on the 26th February, 1959 and state:

(a) whether the document incorporating the results of discussions regarding programme in the last two years of the Second Five Year Plan has since been prepared; and

(b) if so, whether the copy of the same will be laid on the Table?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The document referred to in the reply given in the House on February 26, 1959, to Unstarred Question No. 960 is under print and will be placed on the Table of the House shortly.

Ban on Indian Films in Pakistan

547. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1995 on the 22nd April, 1959 and state:

(a) whether the reports from our Commercial Secretaries in Karachi/Dacca regarding the ban on exhibition of Indian films there have been received;

(b) if so, the details thereof;

(c) whether the question relating to the film trade has been discussed with Pakistan at the review conference; and

(d) if so, the nature of the talks held?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (d) A statement is given below:—

STATEMENT

It has been reported by our Commercial Secretaries in Karachi and Dacca that 618 Indian films imported into Pakistan prior to 1st July, 1954, which had been recently declared 'uncertified' for screening in Pakistan, were exported from India on the basis of outright sale. This question was discussed with the Pakistan Trade Delegation which visited Delhi recently and it was learnt that Pakistan Government was going into the question of 'recertifying' some of these films. The question regarding shortfall in the export of the stipulated number of Indian films to Pakistan under the current Trade Agreement was also discussed with the Delegation. A new procedure has since been evolved under which Indian films are proposed to be obtained by Pakistan through their High Commission in New Delhi. In pursuance of this procedure, offers for outright sale of some Indian films have been invited by the Pakistan High Commission.

Accommodation for Central Government Offices in Delhi

548. { Shri Ram Krishan Gupta:
Shri Bhakt Darshan:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 3389 on the 22nd April, 1959 and state:

(a) whether the scheme for construction of five more buildings to provide accommodation to the Central Government Offices in the Capital has since been finalised; and

(b) if so, the details thereof?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) No.

(b) Does not arise.

Training of Workers

549. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 3380 on 22nd April, 1959 and state:

(a) whether the Committee constituted to go into the question of various methods by which the existing industries could be fully utilised for training workers has submitted its report; and

(b) if so, the main recommendations thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) A statement is laid on the Table of the House [See Appendix I, annexure No 96]

Cosmic Ray Research Station

550. { Shri Ram Krishan Gupta:
Shri Achar:
Shri S. A. Mehdi.

Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No 4267 on the 8th May 1959 and state the progress since made with regard to the setting up of a Cosmic Ray Research Station at Gulmarg (Kashmir)?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Tenders have had to be invited twice. On the first occasion only one tender was received and the rates quoted therein were excessive. They were, therefore, invited again. On the second occasion, three tenders were received, but again the rates quoted were found to be excessive. In the circumstances, the specifications are being re-examined with a view to seeing whether there is any scope for economy.

In the meanwhile, other work has been proceeding. The site is being cleared departmentally, the land required for the project has been demarcated and surveyed by representatives of the State Government, the orientation of the buildings has been determined, the plan for an approach road has been drawn up and other details seen to.

Progress Report of the Second Five Year Plan

551. Shri Ram Krishan Gupta: Will the Minister of Planning be pleased to state:

(a) whether the progress report of the Second Five Year Plan for the year 1958-59 has been prepared; and

(b) if so, whether a copy of it will be laid on the Table?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Material has been requested by the end of August from the Central Ministries and by the middle of September from the States.

(b) The report will be published when it is ready.

Export of Indian Footballs

552. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Indian footballs have earned a reputation in overseas market;

(b) if so, the amount of foreign exchange earned from the export of footballs in 1958-59, and

(c) the steps taken or proposed to be taken to increase their export?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) Total value of foreign exchange earned in 1958-59 by exporting football covers and bladders was Rs. 2,89,627.

(c) Measures taken to promote exports of Sports Goods in general are given in the statement attached.

STATEMENT

(a) An Export Promotion Council for the Sports Goods has been set up.

(b) Grants-in-aid are given to the Export Promotion Council for carrying out export promotion work which includes survey of foreign markets, publicity and propaganda, participation in International Fairs and Exhibitions, sending of trade delegations, Quality Control, laying down codes of conduct etc.

(c) An export incentive scheme has been introduced according to which the exporters of sports goods are granted import licences for certain raw materials for the manufacture of sports goods against their exports.

(d) Drawback on the import and excise duties paid on the imported or indigenous material used in the manufacture of sports goods is allowed against the export of such items.

(e) Provision is made in trade agreements entered into with foreign Governments for import of sports goods from India.

(f) Sports goods are normally exhibited in the various international exhibitions in which India participates.

Ancillary Unit for Steel Plants Components around Jamshedpur

553. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 3579 on the 27th April, 1959 and state at what stage is the question of setting up of an ancillary unit around Jamshedpur to meet the Steel Plants requirements for components?

The Minister of Industry (Shri Manubhai Shah): The position was discussed and examined. The large units suggested and the National Small Industries Corporation agreed that to secure assured and uninterrupted sup-

plies it was necessary to set up ancillary units around Jamshedpur by constructing an Industrial Estate. Accordingly this has been taken up with the State Government.

Indian Institute for Industrial Designs

554. { Shri Ram Krishan Gupta:
Shri Pangarkar:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1803 on the 14th April, 1959 and state the progress made so far in setting up an Indian Institute for Industrial Designs?

The Minister of Industry (Shri Manubhai Shah): The Ford Foundation has been requested to locate a foreign Consultant who could assist the Government of India in working out the details of the scheme for the establishment of an Indian Institute for Industrial Designs.

Local Productivity Councils

555. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1567 on the 31st March, 1959 and state:

(a) the steps taken so far and further progress made in setting up of remaining Local Productivity Councils industry-wise; and

(b) at what stage stands the question of setting up a Central Institute of Management?

The Minister of Industry (Shri Manubhai Shah): (a) 21 Productivity Councils have been established so far, at Kolhapur, Coimbatore, Delhi, Amritsar, Kanpur, Bombay, Mysore City, Dalmianagar, Ludhiana, Baroda, Madras, Surat, Faridabad, Calcutta, Salem, Batala and in Kerala, Vidharbha, Andhra Pradesh, Mysore State, Rohilkhand. Efforts to establish Productivity Councils at other places are in progress. These Councils cover all the industries located in their respective areas.

(b) The proposal for the establishment of an Advanced Management Institute is being considered in the Ministry of Scientific Research and Cultural Affairs.

Trade Agreement with France

554. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1589 on the 31st March, 1959 and state

- (a) whether talks between France and India regarding trade agreement have since been concluded; and
- (b) if so, the result thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra). (a) and (b). Further discussions have been held with the French authorities primarily with the object of securing a better balance in the trade between the two countries. There has been no significant development which can be reported.

Trade between India and Japan

557. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 679 on the 23rd February, 1959 and state whether there has been any improvement in trade between India and Japan as a result of the withdrawal of application of Article XXXV of the General Agreement on Tariffs and Trade?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): The trade relations have become closer the effect of which on the volume of the trade will be felt in due course.

West Coast Paper Mills, Dandell (Mysore)

558. { Shri Shivananappa:
Shri Bibhuti Mishra:
Shri Vajpayee:

Will the Minister of Commerce and Industry be pleased to state

- (a) whether it is a fact that the West Coast Paper Mills has recently been set up at Dandell (Mysore);

(b) if so, the annual rated capacity of this factory;

(c) the quality of paper to be produced in this factory;

(d) the total expenditure incurred on the factory upto the 31st July, 1959 and the extent of Central assistance given to it, and

(e) the total amount of foreign exchange which is likely to be saved as a result of production by this factory?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir

(b) 18,000 tons per year

(c) Printing, Writing and Wrapping Papers

(d) The total investment is Rs 4.89 crores. A total loan of Rs 1.5 crores has been sanctioned by the Industrial Finance Corporation under a Government guarantee. Out of this amount Rs 1.25 crores has already been paid.

(e) It is estimated that the value of output in this unit will be of the order of Rs 1.8 crores per year, and this may be deemed as so much saving of foreign exchange, since the products will go to meet the increased demand for paper in the country.

Soda Ash

559. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state

(a) the present position of production and demand of Soda Ash in India, and

(b) the annual requirement of Soda Ash in terms of value?

The Minister of Industry (Shri Manubhai Shah): (a) As against the current demand of 200,000 tons per year the production during the current year is expected to be 100,000 tons.

(b) Rs 760 lakhs

Industrial Estate at Purl-Vaijnath, Bombay

544. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 2692 on the 3rd April, 1959 and state:

(a) whether it is proposed to set up an Industrial Estate at Purl-Vaijnath in Bhir District of Bombay State,

(b) if so, when the scheme will materialise; and

(c) the financial assistance the Central Government propose to give for the scheme?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is given below:—

STATEMENT

The Bombay Government had a proposal to set up an Industrial Estate at Purl-Vaijnath at an estimated cost of Rs. 3 lakhs, but the scheme could not be included in the list of Industrial Estates sanctioned for Bombay because as a result of the re-appraisal of the Plan allocation for Industrial Estates for the Second Plan period the overall allocation was reduced from Rs 15 crore to Rs 11 crores

Import of Copra

541. { **Shri Narayanankutty Menon:**
Shri Punnoose:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Indian Coconut Committee had made any recommendations regarding the quantity of copra to be imported during 1958-59; and

(b) what is the total quantity of copra imported during 1958-59?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The total quantity of copra imported during 1958-59 was as follows:—

| | |
|-------------|--------|
| Copra | Tons |
| Edible | 125 |
| Milling | 96,381 |
| Other sorts | 323 |
| Total | 96,829 |

Handloom Industry in Kerala

562. { **Shri Narayanankutty Menon:**
Shri Punnoose:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received any proposals for assistance to the Handloom Industry from the Kerala State;

(b) if so, what are the proposals; and

(c) what action Government have taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (c) A statement giving the required information is given below:—

STATEMENT

The following twelve schemes have been received from the Kerala State Government by the All India Handloom Board:

1. Scheme for publicity and propaganda
2. Scheme for purchase of samples.
3. Scheme for issue of loans to weavers
4. Scheme for opening new dye houses
5. Scheme for supply of cotton varnished healds
6. Scheme for supply of brass reeds
7. Scheme for standardisation, framing and quality marking.
8. Scheme for opening new market depots.

9. Scheme for participation in the share capital structure of the Apex Society.

10. Scheme for organisation of Industrial Weavers' Cooperative Society.

11. Scheme for conversion of throw shuttle looms into fly shuttle looms

12. Scheme for participation in the share capital structure of the co-operative spinning mill at Cannanore.

The first seven schemes referred to above are under scrutiny with the All India Handloom Board. The remaining five schemes have been referred back to the State Government by the All India Handloom Board, for certain clarifications.

Development of Small Scale Industries

563. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any scheme aiming at faster and quicker development of small scale industries in the under-developed areas throughout the country has been drawn up; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) No Sir

Cotton-seed Oil Factories

564. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the scheme to set up factories for production of cotton-seed oil has been finalised; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The cottonseed oil industry is being developed satisfactorily and whatever schemes are submitted by private firms for the establishment of new under-

takings, or for the expansion of existing undertakings, are being duly considered and decided on merits. A statement showing the present position of the cottonseed oil industry is given below:—

STATEMENT SHOWING THE POSITION OF THE COTTONSEED OIL INDUSTRY IN INDIA

| No of units in operation | Annual capacity (tons) in terms of cottonseed | No of units under implementation | Capacity (tons) in terms of cottonseed |
|--------------------------|---|----------------------------------|--|
| 10 | 92,000 | 13 | 1,97,700 |

Supply of Fertilizers to Tea Gardens

565. { **Shri Ram Krishan Gupta:**
Shri A. M. Tariq:
Shrimati Mafida Ahmed:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1896 on the 18th April, 1959 and state

(a) whether Government have considered the proposals for the grant of subsidies in respect of transport charges and supply of fertilizers to tea gardens in Cachar and Tripura with a view to improving their economic condition; and

(b) if so, the decision taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir

(b) A decision in the matter will be taken very shortly

Scheme of Compulsory Savings

566. **Shri Ram Krishan Gupta:** Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No 4300 on the 8th May, 1959 and state the nature of the decision taken so far to introduce the scheme of compulsory savings?

The Deputy Minister of Planning (Shri S. N. Mishra): The issues relating to compulsory savings are at present under study. No decisions have yet been reached.

Delhi Shops and Establishments Act

567. { Shri A. K. Gopalan:
Shri Kanhaiya:

Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have received complaints about the non-implementation of the Delhi Shops and Establishments Act;

(b) if so, what are the complaints; and

(c) the action taken to strictly enforce the observance of the Act?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) and (c). Do not arise.

इस्पात तैयार करने वाले कारखाने

५६८. श्री प्रकाश बोर शास्त्री : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) इस्पात के बाटने के लिये इस समय केन्द्रीय सूची में इस्पात तैयार करने वाले कितने कारखानों के नाम दर्ज हैं.

(ख) १९४८ से प्रति वर्ष उन कारखानों के लिये कितने टन इस्पात नियत किया गया है;

(ग) क्या सरकार के पास गैर-सरकारी क्षेत्र के उन कारखानों की भी कोई सूची है, जिन्हें भवन निर्माण के लिये इस्पात दिया गया था, और

(घ) यदि हा, तो उक्त अवधि में प्रति वर्ष उनको कितना इस्पात दिया गया ?

उद्योग मंत्री (श्री मनुभाई शाह) :
(क) से (घ) एक विवरण सभा-पटल पर रक्त दिया गया है। [देखिये परिशिष्ट १, मनुष्य संख्या ६७]

Employees' State Insurance Corporation

569. Shri Muhammed Elias: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the representatives of the All India Trade Union Congress in the Employees' State Insurance Corporation walked out from the meeting which was held on the 1st April, 1959; and

(b) if so, the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) The single representative of the All India Trade Union Congress in the Employees' State Insurance Corporation walked out of the said meeting

(b) He desired that either the number of the employees' representatives on the Standing Committee of the Corporation be increased or the 3 workers' organisations be given representation by turn. This was not accepted by the Corporation. Moreover, section 8(c)(iii) of the Employees' State Insurance Act, 1948 allows only two representatives of the employees on the Standing Committee. Therefore it was not within the power of the Corporation to increase this membership from two to three

Facility Centre at Belgaum

570. Shri Vajpayee: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Facility Centre which was to be set up at Belgaum for the benefit of adjoining small industries will now be shifted to Bangalore;

(b) if so, whether the Central Government's assent was obtained before the transfer of the centre; and

(c) the reasons advanced by the State Government for this change of venue?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir

(b) and (c). Do not arise.

हाम्बुर्ग में प्रदर्शनी

१७१. श्री बाबूदेवी . क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान अर्मेन लेबर श्री जे० एम० हक द्वारा लिखित तथा हाल में ही प्रकाशित पुस्तक "भारत की मूक क्रांति" के निम्नलिखित उद्धरण की ओर आकर्षित किया गया है

"अक्तूबर, १९५५ में तत्कालीन बाणिज्य उपमंत्री श्री द० प० करमरकर ने एक रेडियो वार्ता में यह घोषणा की थी कि सरकार हाम्बुर्ग में नये माल तथा तैयार की एक स्थायी प्रदर्शनी का आयोजन करेगी। तब से अब तक एलबी नदी में बहुत सा पानी बह गया, किन्तु प्रदर्शनी का कहीं पता नहीं", और

(ख) यदि हा, तो इस सम्बन्ध में तथ्य क्या हैं ?

बाणिज्य तथा उद्योग उल्लेख (श्री छत्ताग चन्द्र) (क) यह पुस्तक हमारे बेजने में नहीं आई है।

(ख) १९५५ में हाम्बुर्ग स्थित हमारे कंसलेट जनरल में निर्यात योग्य वस्तुओं के नमूने प्रदर्शित किये जा रहे हैं। पश्चिमी अर्मेनी में व्यापार सम्बन्धी प्रचार करने की एक योजना पर विचार हो रहा था और यह निश्चय किया गया है कि हाम्बुर्ग के बदले कैंकफर्ट में निर्यात सबर्डन संगठन स्थापित किया जाय। इस संगठन के एक भाग में एक प्रदर्शनकक्ष का प्रबन्ध भी किया जा रहा है।

Department of Industrial Co-operatives in Manipur

572. Shri L. Achaw Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Department of Industrial Co-operatives in Manipur has been merged with the Department of Industries;

(b) whether registration of such societies is done by the Director of Industries as *ex-officio* Registrar; and

(c) if so, the reasons thereof?

The Minister of Industry (Shri Manabhai Shah): (a) and (b). Yes, Sir

(c) This new arrangement has been made to ensure proper supervision over Industrial Cooperatives and speedy disposal of their applications for registration, financial assistance etc

केन्द्रीय सरकार के कार्यालयों के लिये भवन

५७३. श्री भवन दर्शन : क्या निर्माण, आवास और संवर्धन मंत्री १६ मार्च, १९५६ के ताराकित प्रश्न संख्या १२७६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि केन्द्रीय सरकार के कार्यालयों के लिये कई मंजिल वाली जो तीन इमारतें बन रही हैं, उनमें से प्रत्येक के बारे में इस बीच क्या प्रगति हुई है ?

निर्माण, आवास और संवर्धन मंत्री (श्री जे. बी. रेड्ड) : पार्लियामेंट स्ट्रीट और 'के' ब्लॉक तथा 'एन' ब्लॉक के स्थानों पर बनने वाले कई मंजिल वाले कार्यालय भवनों के निर्माण में की गई प्रगति क्रमशः ६१ प्रतिशत, ५३ प्रतिशत और ४२ प्रतिशत है।

Social Customs

574. Shri Jhulan Sinha: Will the Minister of Planning be pleased to state:

(a) whether any assessment has been made of the amount annually

spent by Indian citizens over social customs beginning from birth in a family to death;

(b) the total amount of investment by way of loan and small savings made on an average annually by citizens;

(c) whether the desirability of canalising the expenditure on social customs into investments for the success of the Plan has ever been considered; and

(d) if so, in what way?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Systematic or comprehensive information on this subject is not available

(b) The figures relating to the net amount raised by the Centre and the States by way of loans from the public in each of the first three years of the Second Plan and as also the net collections under small savings, are set out below. The annual averages, as they work out on the basis of the figures for the three years, are also indicated.

(R. crores)

| | Net amount raised by way of loans | | | Net collections under small savings |
|--|--------------------------------------|--------|-------|--|
| | Centre | States | Total | |
| 1956-57 | 78 | 61 | 139 | 59 |
| 1957-58 | 69 | 11 | 80 | 70 |
| 1958-59 | 181 | 45 | 226 | 77 |
| | | | | - - |
| Total for the first 3 years | 328 | 117 | 445 | 206 |
| | | | | - - |
| Average annual collections over the first three years | 109.3 | 39.0 | 148.3 | 68.6 |

The contributions towards public loans and small savings are made by individuals as well as by institutions, and the concept of average contribution in terms of the contributors is not meaningful.

(c) and (d). This aspect has been considered from time to time, and it is felt that success in this respect depends mainly upon education and propaganda.

Patents

575. Shri Keshava: Will the Minister of Commerce and Industry be pleased to state:

(a) how many applications for patents were received in 1958-59,

(b) from whom they were received; and

(c) the steps adopted to facilitate Indian patents being developed abroad?

The Minister of Commerce (Shri Kanungo): (a) 3,618

| | |
|--------------------------|-------|
| (b) Indians | 546 |
| Other residents in India | 72 |
| Foreigners | 1,000 |

(c) For developing inventions of Indians abroad, necessary steps have to be taken by the inventors concerned or others interested in the inventions to protect such inventions by patenting them in such countries as they may be interested and approach individuals, corporations or other organisations who would be interested in the inventions concerned and negotiate with them for the development of the inventions. The National Research Development Corporation of India has, however, made arrangements with the following foreign organisations for the commercial utilisation of Indian Patents:—

(1) National Research Development Corporation of U.K

(2) Canadian Patents & Development Ltd., Canada.

(3) Patent Department, N.T.O., Holland.

(4) Research Corporation, New York.

Bonus to Tea Plantation Workers

576. Shri Tridib Kumar Chaudhuri: Will the Minister of Labour and Employment be pleased to state:

(a) the final decision taken by the Tea-Bonus Sub-Committee of the Industrial Committee on Plantations with regard to the formula for the payment of bonus to tea plantation workers;

(b) whether Planters' Organisations like the Indian Tea Association, the Indian Tea Planters' Association, United Planters' Association of South India, etc., have accepted the said formula; and

(c) how does the whole matter stand at present?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Various proposals have been made by the representatives of employers and workers on the Sub-Committee for its consideration. No final decision has, however, been reached so far.

(c) At the last meeting held on 25th June, 1959, the parties agreed to adjourn for about a month to enable the Indian Tea Association's representative to discuss the proposals with his Association. The Sub-Committee is expected to meet again shortly to consider the matter further.

कारखानों में हड़तलें

५७७. श्री बिमूनि मिश्र : क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय क्षेत्र के किन-किन कारखानों में १९५७, १९५८ और १९५९ (११ जुलाई तक) हड़तालें हुईं; और

(ख) इन हड़तालों के परिणामस्वरूप उत्पादन में कितनी कमी हुई ?

श्रम उपसंज्ञा (श्री आबिद अली) :
(क) और (ख). मांगी गई सूचना प्राप्त

नहीं है। इस सूचना से जो प्रयोजन सिद्ध होगा उससे ज्यादा इसके जमा करने में खर्च लगेगा।

New Markets for Jute Manufacturers

578. Shri Bibhuti Mishra: Will the Minister of Commerce and Industry be pleased to state:

(a) the efforts made to find new markets for jute goods in 1958 and 1959 (till 31st July, 1959), and

(b) if so, which countries have been approached and with what results?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). A Trade Delegation from India which visited the East European countries in 1958 explored, inter alia, possibilities of increasing exports and finding new markets for jute goods; as a result, a beginning has been made in the export of jute goods to Bulgaria and Rumania.

ग्रामर चर्खों का प्रशिक्षण

५७९. श्री पद्म देव : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५८-५९ में हिमाचल प्रदेश में कितने व्यक्तियों को ग्रामर चर्खों का प्रशिक्षण मिला,

(ख) कितने ऐसे प्रशिक्षित व्यक्तियों को रोजगार दिलाया गया, और

(ग) ग्रामर चर्खा में सम्बन्धित सम्पदा हिमाचल प्रदेश में कब से चालू है ?

उद्योग मंत्री (श्री मनुभाई शाह) :
(क) से (ग). ग्रामर चर्खा कार्यक्रम हिमाचल प्रदेश में प्रारम्भ में नहीं लाया जा रहा है।

हिमाचल प्रदेश में चाय बागान

५८०. श्री पद्म देव : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को ज्ञात है कि हिमाचल प्रदेश के मण्डी जिले में कई छोटे-बड़े चाय बागान हैं;

(ख) क्या सरकार को यह भी ज्ञात है कि चाय तैयार करने के लिये उन चाय बागानों में आधुनिक वैज्ञानिक उपकरण का कोई भी प्रबन्ध नहीं है, और

(ग) यदि हां, तो चाय के निर्यात को बढ़ाने के लिये उन बागानों में वैज्ञानिक उपकरण का प्रबन्ध करने के लिये क्या पग उठाये जा रहे हैं ?

वाणिज्य मंत्र (श्री ज्ञानमो) . (क) चाय बोर्ड के पास रजिस्टर्ड कुल २२२ चाय बागानों में से केवल एक का क्षेत्रफल ही १८५ एकड़ है। शेष सभी छोटे बागान हैं।

(ख) जी हां।

(ग) चाय बोर्ड के उत्पादन नियन्त्रण डायरेक्टर ने फरवरी, १९५९ में हिमाचल प्रदेश के चाय उद्योग का निरीक्षण किया था। उन्होंने यह मत प्रकट किया कि हिमाचल प्रदेश में चाय उद्योग को सुदृढ़ आधार पर लाने के लिये सब से पहले छोटे चाय बागानों में चाय की खेती करने की प्रणाली में सुधार होना आवश्यक है। उन्होंने छोटे बागानों के लिये एक सलाहकार सर्विस चालू करने की सिफारिश की। इसके अनुसार भारत सरकार ने चाय बोर्ड के अन्तर्गत एक फील्ड एडवाइजरी अफसर का स्थान स्वीकृत कर दिया है जो कागड़ा और मन्दी में काम करेगा और इन क्षेत्रों के छोटे चाय उत्पादकों को चाय की खेती की मृदुरी हुई और आधुनिकतम प्रणालियाँ बतायेगा।

Bonus to Sugar Factory Workers

581. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the bonus issue in respect of sugar industry workers in UP is being referred to a Committee; and

(b) if so, the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) No such reference is being made by the Central Government.

(b) Does not arise.

Industrial Disputes in Public Sector

582. **Shri K. N. Pandey:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the Standing Committee of the representatives of the Ministries of the Government of India have evolved some machinery to resolve the disputes arising in the public sector; and

(b) if so, what it is?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). No special machinery has been evolved by the Inter-departmental Standing Committee to resolve disputes arising in the public sector. As indicated in reply to Starred Question No. 1224 in the Lok Sabha on 26th March, 1958, the committee has been set up to facilitate consultation among the Ministries concerned on questions regarding labour demands in undertakings in the public sector.

Export of Handicrafts

583. **Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing the total foreign exchange earned in the export of Indian handicrafts to different countries during the year 1959 so far?

The Minister of Industry (Shri Manubhai Shah): A statement is laid on the Table of the House. [See appendix I, annexure No 98]

Kuth Oil

584. **Shri Hem Raj:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the laboratories which are undertaking the extraction of oil from the roots of costus i.e., Kuth;

(b) the quantity of oil that is extracted per maund of Kuth;

(c) the price of the machine that is used for its extraction; and

(d) the places where it is available?

The Minister of Industry (Shri Manubhai Shah): (a) The National Chemical Laboratory, Poona and the Regional Research Laboratory, Jammu-Tawi are carrying on experiments in the recovery of Costus (Kuth) Oil from Kuth roots

(b) to (d) The National Chemical Laboratory, Poona claims that by adopting the process developed by them, approximately 5 lbs of costus oil can be obtained per maund of the roots. The machinery required for the extraction of oil can be fabricated locally and the price depends on the process adopted, the capacity of the plant and its material of construction

Export of Tea to U.S.A.

585. Shri Bibhuti Mishra: Will the Minister of Commerce and Industry be pleased to state the extent of Indian tea exported to USA during 1959 so far, as against the year 1958?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A quantity of 8,346, 921 lbs was exported upto the end of May, 1959 to the USA as compared with 10,916,990 lbs during the corresponding period of 1958

Rickshaw Pullers in Agartala

586. Shri Dasaratha Deb: Will the Minister of Labour and Employment be pleased to state-

(a) the number of rickshaw pullers in Agartala Town, Tripura, at present,

(b) the number of displaced persons among them; and

(c) the number of them hiring rickshaws?

The Deputy Minister of Labour (Shri Abid Ali): (a) 1,000 (Licensed)
155 LS-4

(b) 960

(c) 952

Land Purchase Scheme in Tripura

587. Shri Dasaratha Deb: Will the Minister of Rehabilitation and Minority Affairs be pleased to state.

(a) the total land purchased so far under the Land Purchase Scheme in Tripura for the rehabilitation of displaced persons,

(b) the number of displaced persons rehabilitated in these lands,

(c) whether that land is sufficient for maintaining the displaced persons rehabilitated under Land Purchase Scheme, and

(d) if not whether Government propose to purchase more land for allotment to these displaced persons?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 3,250 acres

(b) 1,510 families

(c) Yes

(d) Does not arise

Minimum Wages for Workers of C.F.W.D.

588. Shri Tangamani: Will the Minister of Labour and Employment be pleased to state.

(a) the categories of workers of the Central Public Works Department which come under the purview of the Minimum Wages Act, 1948, and

(b) the minimum wages fixed for each of the categories and the dates from which such wages have been fixed?

The Deputy Minister of Labour (Shri Abid Ali): (a) Workers engaged in the employment on the construction or maintenance of roads or in building operations and in the employment in stone breaking or stone crushing

(b) Information regarding the rates fixed is contained in the Notifications

published from time to time in the Gazette of India and in the Annual Reports on the working of the Minimum Wages Act, 1948 published by the Director, Labour Bureau, Simla, copies of which are available in the Parliamentary Library.

Heavy Electricals Limited, Bhopal

589. **Shri Kalika Singh:** Will the Minister of Commerce and Industry be pleased to state

(a) the estimated expenditure to be incurred on the Indian Engineers sent by Heavy Electricals Limited, Bhopal, for specialised training in the UK, and

(b) the names of institutions and factories where this training of Indian Engineers will take place?

The Minister of Industry (Shri Manubhai Shah): (a) Total estimated expenditure on specialised training of Indian Engineers in the UK would be about Rs 1 crore for the whole project. Out of this, a sum of Rs 39.84 lakhs is estimated to be required for the Engineers so far sent to the UK.

(b) Training will be imparted in the various factories of the Associated Electrical Industries group of Companies. At present the Indian Engineers are being trained in the Factories of M/s Metropolitan Vickers Electrical Ltd and British Thomson Houston Limited.

Industrial Estate in Delhi

590. **Shri Pahadia:** Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that Delhi Industrial Advisory Board has set up a new industrial estate, and

(b) if so, whether the Central Government have been approached for a loan to develop it?

The Minister of Industry (Shri Manubhai Shah): (a) The Delhi State Board of the All India Manufacturers' Organisation has stated that they are interested in acquiring about 200 acres

of land for development privately on cooperative basis and establishing an industrial estate there near the Okhla Estate.

(b) No request has been received from the Organisation for a loan for this purpose. However it is understood that the Delhi Municipal Corporation has under consideration a proposal for acquiring and developing about 900 acres of land at Okhla and that the Corporation is not likely to consider the All India Manufacturers Organisation's move till a final decision is taken to the Corporation's own proposal.

Terrace-Cultivation in Tripura

591. **Shri Bangshi Thakur:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) the total acreage of land that has been brought under terrace-cultivation in Tripura and which are the areas that have been covered by it; and

(b) whether any arrangement exists there for watering the lands which have been brought under terrace-cultivation?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 2,935 acres of land have so far been brought under terrace-cultivation in Tripura. The land is situated in various quantities in all the Sub-Divisions of Tripura.

(b) Some arrangements already exist and some schemes for minor irrigation are under implementation.

Sindri Fertilisers and Chemicals Ltd.

592. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the physical verification of stocks of gypsum and ammonium sulphate in the Sindri Fertilisers and Chemicals Ltd for the year 1957-58 disclosed shortages of 24,791 tons and 2,907 tons respectively;

(b) whether the company has enquired into the causes for such big shortages; and

(c) what corrective steps have been taken by Government in the matter?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Attention is invited to the reply given in the Lok Sabha to the same hon'ble Member's unstarred question No 331 on the 6th August, 1959.

(c) The Sindri management have now reported that efforts are being made to make the stacking of gypsum more regular so that the physical verification of stocks can be more accurate. As regards ammonium sulphate the defective belt weigher has been replaced.

Employment Exchanges

593. Shri Pahadia: Will the Minister of Labour and Employment be pleased to state:

(a) how many people got their names registered with the Employment Exchanges during the year 1958-59,

(b) how many were given employment,

(c) whether the number of persons who registered their names and got jobs during the last year was more than the year 1957-58; and

(d) if so, what is the difference between these two years?

The Deputy Minister of Labour (Shri Abid Ali): (a) 22,78,254

(b) 2,34,354

(c) Yes

(d) There is an increase of registrations and placements of 4,11,069 and 35,947 respectively.

Employment Exchanges

594. Shri Pahadia: Will the Minister of Labour and Employment be pleased to state:

(a) how many people belonging to Scheduled Castes and Scheduled

Tribes got their names registered with Employment Exchanges in 1958-59;

(b) how many of these were educated and how many uneducated;

(c) whether all the registered persons were given employment; and

(d) if not, the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) Scheduled Castes 2,72,663, Scheduled Tribes 72,900

(b) Exact figures are not available. It is, however, estimated that 12 per cent and 3 per cent of the registrants belonging to Scheduled Castes and Scheduled Tribes respectively were educated (matriculates and above)

(c) No

(d) The number of registrants far exceeded the number of vacancies notified to Employment Exchanges

Shifting of Central Government offices to Simla

595. Shri Hem Raj: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No 245 on the 13th February, 1959 and state:

(a) the number of Central Government offices shifted to Simla from Delhi so far,

(b) the accommodation still available there for more offices,

(c) whether any representations have been made by public bodies of Simla to shift more offices there; and

(d) if so, the action taken thereon?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) No office of the Central Government has in the recent past been shifted to Simla. However, the office of the Narcotics Commissioner (Central Board of Revenue—Finance) and the Western Command (Defence) were shifted to Simla in 1952 and 1954 respectively.

(b) Details about the actual extent that would be released by the Punjab Government to accommodate other Government offices have not yet been received

(c) and (d) Representations from (i) Simla Hitkarni Sabha and (ii) The Help Save Simla Citizens Committee, Simla, have been received. The question of move of some offices to Simla, in order to utilise the surplus accommodation likely to be released by the Punjab Government, has been taken up for consideration on a priority basis, in consultation with the State Government and the Central Government Departments

Electric Fans

596. Shri Muhammed Elias: Will the Minister of Commerce and Industry be pleased to state the target of production of electric fans in the Second Five Year Plan?

The Minister of Industry (Shri Manubhai Shah): The target of production of electric fans in the Second Five Year Plan is 900,000 nos per annum

Gifts to Tibetan Refugees

598. Shri P. C. Borooah: Will the Prime Minister be pleased to state

(a) whether any exemption from customs duty was given in respect of gifts received from abroad for Tibetan refugees, and

(b) if so, the total amount for which exemption was allowed?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir

(b) No specific amount was fixed. The intention is to exempt all gifts received from abroad specifically intended for the relief of the Tibetan refugees from customs duty. For the present, the exemption is allowed for goods imported upto 7th November, 1959

Rest Houses for Tibetan Refugees

599. Shri P. C. Borooah: Will the Prime Minister be pleased to state:

(a) whether any rest houses were constructed at Runikheta and Kekrajhar in Assam for the Tibetan refugees; and

(b) if so, the amount spent on their construction?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes. Some temporary construction was undertaken at Runikheta while vacant Government buildings were used at Kokrajhar as a transit centre for refugees before they proceeded to Buxa or Missamari camp

(b) Amount spent on temporary construction was approximately Rs 1453

12 01 hrs.

MOTION FOR ADJOURNMENT

Flood Havoc in Howrah and Hooghly Districts

Mr Speaker. I have received notice of an adjournment motion from Shri Muhammed Elias regarding "the serious situation caused in the Districts of Howrah and Hooghly (West Bengal) due to the heavy floods occasioned by the navigation canal of DVC overflowing and destroying thousands of Bighas of paddy cultivation and forcing the people of the locality to abandon their homesteads and livestock"

Has the hon Minister to say anything on that?

The Minister of Irrigation and Power (Hafiz Mohammed Ibrahim): I think there is no need for an adjournment motion. I have got no information on this at present. I have asked for it. It may be received within a few days. I will place that information before the House

Mr. Speaker: Very well It is not as an adjournment motion I was prepared to allow it I only wanted to know, in view of the allegation that a large extent of land over which paddy cultivation has been going on has been damaged, the actual situation from the hon Minister He wants a couple of days to gather the information and place it on the Table of the House or report to the House In view of that statement I disallow the adjournment motion

Shri Muhammed Elias (Howrah) May I make a little submission?

Mr Speaker Whatever he wants to say he can write to the Minister

Shri Muhammed Elias. In all the papers the news has come Taking the news, the hon Minister could have asked for information from the Government of West Bengal in that area It has been reported that due to the rains in the DVC canal area the level of the canal water has risen higher than the normal level of about 12 feet and that it was then decided to drain out some water through irrigation channels and with that end in view the lock-gate at Hoera under Magra police station in Hooghly district was lifted

Mr Speaker: Order order All that may be true

Shri Muhammed Elias It has been reported that about 70 per cent of the residents of the village have left their homes and there has been loss of several lakhs

Mr Speaker: Order, order When I am standing, the hon Member must resume his seat and not go on reading I was not prepared to read out the motion even, because it is a State subject primarily it is the concern of the State Government to manage the flood situation But it is a DVC one, water flows somewhere and then flows over that land, and because of that I only wanted to know from the hon. Minister whether he could help and place some facts before the House

Otherwise I would not have even read it Now that he has promised to gather the information and place it before the House, there is no need for this, and I disallow the adjournment motion

12 03 hrs

PAPERS LAID ON THE TABLE

DIRECTORS REPORT OF INDIAN RARE EARTHS (PRIVATE) LIMITED

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) I beg to lay on the Table a copy of Directors' Report of the Indian Rare Earths (Private) Limited for the year ended the 31st March, 1958
(Laid on Table, Ser No. 171/500/59)

RULES RE RECRUITMENT TO CENTRAL ENGINEERING SERVICES

The Minister of Works, Housing and Supply (Shri K. C Reddy). I beg to lay on the table a copy of each of the following rules framed under the proviso to Article 309 of the Constitution —

- (i) The Rules regulating direct recruitment to the Central Electrical Engineering Service, Class I, published in Notification No GSR 36, dated the 10th January, 1959
- (ii) The Rules regulating direct recruitment to the Central Electrical Engineering Service Class II published in Notification No GSR 37, dated the 10th January, 1959
- (iii) The Rules regulating direct recruitment to the Central Engineering Service Class II, published in Notification No GSR 38, dated the 10th January, 1959
- (iv) The Rules regulating direct recruitment to the Central Engineering Service, Class I, published in Notification No.

[Shri K. C. Reddy]

GSR 39, dated the 10th January, 1959 [Placed in Library, See No LT-1510/59]

COMPANIES (ISSUE OF CERTIFICATE) RULES

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, copy of the Companies (Issue of Share Certificates) Rules, 1959, published in Notification No GSR 798 dated the 11th July, 1959 [Placed in Library, See No. LT-1511/59]

AMENDMENTS TO COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES AND FORMS

The Minister of Commerce (Shri Kanungo). I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, a copy of Notification No GSR 548, dated the 9th May, 1959, making certain further amendments to the Companies (Central Government's) General Rules and Forms, 1956 [Placed in Library, See No LT-1512/59]

AMENDMENTS TO MINES RULES

The Deputy Minister of Labour (Shri Abid Ali). I beg to lay on the Table under sub-section (7) of Section 59 of the Mines Act, 1952, a copy of Notification No GSR 607 dated the 23rd May, 1959, making certain amendments to the Mines Rules, 1953 [Placed in Library, See No LT-1513/59]

RELEASE OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following communication dated the 7th August, 1959 from the Superintendent, Central Jail, Cannanore

"I may inform you that Shri K. P. Kutukrishnan Nair, Member of the Lok Sabha, who was undergoing Simple Imprisonment for 20

days in this jail from 27th July, 1959 having been convicted under Section 75 of the MCP Act in CC 2053/59 on the file of the Judicial Sub Magistrate, Kozhikode was released from this jail on 7th August, 1959 as per Government Order Rt 1440 Home, dated 6th August, 1959 remitting the unexpired portion of the sentence"

PETITION

WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

Qari Matin (Giridih) Sir, I beg to present a petition signed by a petitioner regarding the Welfare of Scheduled Castes and Scheduled Tribes in India

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

INDIAN NATIONALS IN TIBET

Shri P. C. Borooah (Sibsagar) Sir, under Rule 197, I beg to call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon —

"The position of Indian nationals (including Ladakhis Buddhists) in Tibet"

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Sir, according to our latest information there are 97 registered Indian traders in Yatung, Phari and Gyanise and about 2000 seasonal traders who are currently visiting Western Tibet. The Government of India, however, have no exact information about the number of Kashmiri Muslims and Ladakhi Lamas in Tibet. As far as we have been able to ascertain, there are 124 families of Kashmiri Muslims with a total number of 583 persons in the Lhasa-Shigatse area. We are also

informed by Shri Kushak Bakula that before the recent disturbances nearly 400 Lama students from Ladakh were studying in various monasteries in Tibet. There were approximately 40 Ladakhi Lamas among the refugees who came to India from Tibet. The rest are presumed to be still there.

The reason for lack of precise information about the number of Kashmiri Muslims and Ladakhi Lamas in Tibet is that previous to 1954 travel between the Ladakh region and the Tibet region of China was practically free. Traditionally hundreds of Ladakhi Buddhists used to visit the Tibetan region and join the monasteries there for their religious education. Similarly, Muslims from Ladakh also visited Tibet for trade in Shigatse, Lhasa and elsewhere. Some of these Muslim families have been resident in Tibet for more than one generation. The 1954 Agreement for the first time provided that traders travelling between India and Tibet should possess certificates issued by the local Government of the country of origin. Pilgrims were not required to carry documents of certification but were to be registered at the border check-posts by the other party and receive permits for pilgrimage. Such check-posts however existed at only a number of specified passes. People from Ladakh who travelled to Tibet by the other passes in the Western Tibet area even after 1954 did not therefore possess either traders' certificates or pilgrims' permits. There is also no question of those who had been residing in the Tibet region before 1954 and have not since come to India possessing any certificate of identification.

Instructions were issued by us after the conclusion of the 1954 Agreement that Kashmiri Muslims and other persons of Indian origin must be registered as Indian citizens under Article 8 of the Constitution. Registration under this article was, however, not obligatory and most of the traders and Lamas who were accustomed to traditional freedom of movement and

privilege of study in the Tibetan monasteries did not take the trouble of registering themselves as Indian nationals. In fact, only 21 persons in Lhasa and Shigatse have registered their names with the Indian Consulate General. The result is that the majority of the people of these categories did not possess any valid travel documents or any other document of identification.

When the recent disturbances began, a large number of persons of Indian origin expressed their desire to register themselves with the Indian Consulate General as Indian citizens. Certain difficulties were placed in their way by the local Tibetan authorities. We, therefore, took up the matter informally with the Chinese authorities in Lhasa and followed up our representation with a request in writing both in Lhasa and through our Embassy in Peking. We explained to the Chinese authorities that since these persons came to Tibet when there was no obligation on them to take out any travel paper or document of nationality it would not be fair to draw an adverse conclusion against them that they are not Indian citizens. We also pointed out that there was no obligation on these persons to register themselves as Indian nationals with our Consulate General in Lhasa.

In a note dated 17th July 1959 the Chinese Government suggested to us that these persons who had been residing in Tibet for long periods were to all intents and purposes Chinese nationals. We have instructed our Embassy in Peking to take up the matter again with the Chinese authorities and urge that persons of Indian origin from Ladakh and other parts of India, who consider themselves Indian nationals and wish to seek the advice and protection of our Consulate General, should be permitted to do so, or, in the alternative, they should be allowed to return to India. We have not yet had any final reply. Meantime, according to our information, two Indians were registered with our

[Shrimati Lakshmi Menon]

Consulate General and three other Indians who were not registered are held in custody by the Chinese authorities.

The Government of India will continue to press their views on the Chinese Government.

12-13 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that in deference to your wishes and the wishes of some Members of this House, the Government accept a discussion on the No-Day-Yet-Named Motion given notice of by Shri Khushwaqt Raj and others regarding the policy of the Government in regard to the distribution of sugar and steps to check the rise in the prices of sugar and profiteering by sugar interests.

It is proposed to have this discussion on Friday, 14th August, after the Question Hour, upto 2.30 P.M., that is, before the House takes up Private Members' Business.

As you are aware, Sir, my colleague, the Minister for Food and Agriculture, laid a statement on the Table of the House on the sugar situation on 7th August. The above proposed discussion will provide opportunity to the House to discuss that statement as well.

Shri Braj Raj Singh (Firozabad): Are they not bringing a Government motion? You were pleased to allot five hours for that.

Mr. Speaker: When there is a No-Day-Yet-Named motion, only 2½ hours can be allowed. I cannot force the Government to do so.

श्री खुशवाक़्त राज (फ़ैरोज़): दो घंटे का समय इस विषय के लिए बहुत ही कम होगा। उस दिन मैं ने कहा था कि कम से कम पांच घंटे का समय होना चाहिए। अगर उस दिन पांच घंटे का समय न मिल सके, तो किसी और दिन इसकेशन हो जाये।

अध्यक्ष महोदय: इस को बढ़ाने के लिए कोई अवकाश नहीं है। इस लिये कुछ नहीं किया जा सकता है।

Shri Surendranath Dwivedy (Kendrapara): The whole idea was this. On a private motion we get 2½ hours. As you decided, we thought if it is a Government motion, we will get more time for discussion.

Shri Satya Narayan Sinha: The No-Day-Yet-Named motion was admitted by you and we have taken the earliest opportunity to provide time.

Mr. Speaker: Government is not bringing it up itself.

BUSINESS ADVISORY COMMITTEE

FORTIETH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Fortieth Report of the Business Advisory Committee presented to the House on the 10th August, 1959."

Mr. Speaker: The question is:

"That this House agrees with the Fortieth Report of the Business Advisory Committee presented to the House on the 10th August, 1959."

The motion was adopted.

12.15 hrs.

WAKF (AMENDMENT) BILL

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim):
Mr. Speaker, I beg to move:

"That the Bill to amend the Wakf Act, 1954, be taken into consideration."

This Bill, as it appears, contains only four clauses. I am not going to take much of the time of the House over it. But, in order to explain certain things, I have first to refer to some things in the principal Act so that hon. Members may be able to understand the real import and effect of one or two amendments contained in this Amending Bill.

The principal Act was enacted in the year 1954. It was meant to extend to the whole of India and still, its enforcement was conditioned by the publication of Gazette Notification by the Central Government. As far as the four States were concerned, namely, Bihar, Delhi, U.P. and West Bengal, it was mentioned that no such notification should be issued except on the recommendation of the State Governments concerned. Delhi at that time was a Part C State because, at that time, according to the Constitution, Parts A, B and C States were in existence. Now, Delhi is a Union Territory and it is intended also that the Wakfs Act, which is of the Centre, should be enforced there. Therefore, there is one amendment included in the Bill through which Delhi is to be omitted from this proviso. That would be deleted.

Another thing about Delhi is, under section 10 of the principal Act, the number of members of the various Boards for the various States were fixed. That section reads as follows:

"The Board shall consist of—

- (a) eleven members in the case of each of the States specified in Part A of the First Schedule to the Constitution;

- (b) seven members in the case of each of the States specified in Part B of the First Schedule to the Constitution; and

- (c) five members in the case of each of the States specified in Part C of the First Schedule to the Constitution."

With reference to the Amending Bill, it will be found that this entire section is going to be substituted by a new section which is contained in clause 3:

"(1) The Board shall consist of—

- (a) eleven members, in the case of a State and the Union territory of Delhi; and

- (b) five members, in the case of any other Union territory."

This distinction in regard to Delhi has been made simply because though Delhi is a little State or a little Union territory it contains a very large number, hundreds of wakfs. Like so many other States, it should have a bigger or larger Board. Therefore, the number for Delhi has been increased from 5 to 11.

I have dealt with the omission of Delhi from that proviso and the increase of the number of members for the Delhi State. There is a third amendment which is in the shape of a proviso to be added to sub-section (3) of section 1 of the principal Act. That is this:

"Provided further that where on account of the territorial changes brought about by the States Reorganisation Act, 1956, this Act is, as from 1st day of November, 1956, applicable only to a part of a State, the Central Government may, by notification in the Official Gazette, bring this Act into force in the remaining part of that State with effect from such date as may be specified in the notification."

[Hafiz Mohammad Ibrahim]

As far as the enforcement of the States Reorganisation Act is concerned, it created certain positions in regard to wakfs and Wakf Boards which are not desirable. They have to be changed. Therefore it has been provided here that the Central Government will enforce the Act in those parts where it is not in force.

Now, we come to clause 4 which contains two sections, 66A and 66B. As far as section 66A is concerned, it is a special provision for the reorganisation of certain Boards. The present position is this. If you take the case of Hyderabad, in the Hyderabad State there was one Board. Parts of Hyderabad went to other States, such as Mysore, Andhra Pradesh and so on, and in those places, by virtue of the States Reorganisation Act—because there is a provision therein to that effect—those Boards which were functioning at the time of the reorganisation of the States were to continue to function, even though those parts had gone to the other States. Therefore, this Wakf Act is in force in those parts, and they have got wakf boards. So a position has arisen wherein one wakf board has got jurisdiction over the wakf in another State. This is a very undesirable thing. And it has to be done away with.

Therefore, section 66A has been provided here in this amending Bill, under which such Boards may be dissolved, reorganised and reconstituted. Questions relating to the transfer of the assets, rights and liabilities, and the employment of those persons who are employed there, etc. have all been included in this section, for the purpose of being dealt with in the order which will be made by the Central Government after receiving the necessary proposals from the State concerned. That order will go to the State, and things will be done according to that order.

It is also provided here that that order will include so many other things, anyone of them or all of them, as are included in the proposed sub-section (3) of section 66A, in clause (a) to (g). It is also provided under the proposed sub-section (4) of section 66A that

“Where an order is made under this section transferring the assets, rights and liabilities of any Board, then, by virtue of that order, such assets, rights and liabilities of the Board shall vest in, and be the assets, rights and liabilities of, the transferee.”

Another provision is that this order will be published in the gazette. It is also provided here that every order made under this section shall be laid before each House of Parliament.

There remains just one more section which is proposed to be introduced, and that is, section 66B which is meant to enable the State to establish one board for one part only, or to establish separate boards for separate parts provided they have come to that State from the other State. So, this section will enable the State either to have one board for one part or to have several boards in several parts provided the several parts were not within its area originally.

Another thing that is provided here is that if it is desired some time later that these several boards should not continue but one single board should be established, then one single board can be established under section (2) of proposed section 66B.

I think this is all that needs to be said about this Bill which is a very small one, and I hope the House will pass it without any discussion.

Mr. Speaker: Motion moved.

“That the Bill to amend the Wakf Act, 1954, be taken into consideration.”

श्री सन्तोष पांडे (सदृश) : अध्यक्ष महोदय, जो बिल सदन के सामने लाया गया है, धामतीर पर मैं उसका सनयन करता हूँ। राज्यों के पुनर्बंटवारे के बाद इस बिल की सक्त जरूरत थी। इसलिये मैं मन्त्र महोदय को धन्यवाद देता हूँ कि वह यह बिल लाए हैं। मुझे इस बारे में जो एतराज है, वह है बोर्ड के गठन पर। १९५४ के एक्ट में इस बात की व्यवस्था है कि यह बोर्ड कैसे बनाया जायगा। अभी मंत्री महोदय यह प्रमेडमेट लाए हैं, जिसके द्वारा प्रिंसिपल एक्ट के सैक्शन १० के सब-सैक्शन (१) के स्थान पर यह रखा गया है।

"(a) eleven members, in the case of a State and the Union Territory of Delhi; and

(b) five members, in the case of any other Union Territory."

इस सख्या पर तो मुझे कोई खास एतराज नहीं है, लेकिन प्रिंसिपल एक्ट में यह बात लिखी हुई है कि मेम्बरो का एपायट-मेट कैसे हो —

"The members of the board shall be appointed by the State Government by notification in the Official Gazette from anyone or more of the following categories of persons, namely:

(a) Members of the State Legislature and Members of Parliament representing the State;

(b) persons having special knowledge of Muslim law and representing associations such as State Jamiat-ul-Ulama-i-Hind (whether such persons are Hanafi, Ahle-Hadis or Shafai) or State Shia Conference.

इस सिलसिले में मैं यह निवेदन करना चाहना हूँ कि अब तक बोर्ड बनाने के सम्बन्ध में राज्य सरकारों को इस बात का अधिकार

दिया गया है कि वे जमयत-उल-उलेमा-ए-हिन्द या शिया कान्फरेंस में से, या उन लोगों में से, जो स्वाम तीर से मुस्लिम कानून को जानते हो, मेम्बरो को इस बोर्ड में रखे। मुझे एतराज है कि सारे मेम्बरो का नामी-नेशन राज्य सरकारों की तरफ से क्यों होता है। अगर मंत्री महोदय इस को प्रमेड करे कि कुछ मेम्बर चुने हुए हो, तो ज्यादा अच्छा होगा। अगर राज्य सरकारों को यह अधिकार दिया जाय कि वे जमयत-उल-उलेमा-ए-हिन्द और शिया कान्फरेंस इन्हीं दो जमायतो से लोगों को लें, तो मैं समझता हूँ कि यह ठीक बात नहीं होगी, क्योंकि ये दोनों जमायतें काफ़ेस के मुस्लिम बेहरे हैं।

यह तो महज जमयत-उल-उलेमा-ए-हिन्द और शिया कान्फरेंस के नाम पर अपनी पार्टी के लोगों को इस बोर्ड में भरता है। अगर अभी महोदय उन मुसलमानों को, जो कि इन जमायतों के अलावा हो, और जो खास तौर पर मुसलमानों के धार्मिक मामलों में जानकारी रखते हो, इस बोर्ड में रखने की व्यवस्था करें और उन को इस बात का हक दें कि वे चुन कर आयें, तो यह ज्यादा अच्छा होगा बजाय इस के कि प्रान्तीय सरकार चुने। अगर प्रान्तीय सरकार को यह हक दिया गया, तो नतीजा यह होगा कि सिर्फ काफ़ेस पार्टी के लोग ही इस किस्म के बोर्डों में जायेंगे और वे शिकायतें बनी रहेंगी, जो कि पहले मौजूद हैं।

मैं मन्त्री महोदय से निवेदन करूँगा कि अगर इस तरह से इस को प्रमेड किया जाये, तो ज्यादा अच्छा होगा, ताकि जमयत-उल-उलेमा-ए-हिन्द और शिया कान्फरेंस के अलावा भी लोग इस में आ सकें और यह बोर्ड ज्यादा प्रजातान्त्रिक हो सके।

Shri Naldurgkar (Osmanabad):
Though I feel the necessity for this amending Bill, still I suspect the validity of section 66B which is proposed to be introduced under clause 4 of this Bill. Under this section, it

[Shri Naldurgkar]

is proposed to vest the State Government with the power to establish wakf board in one or more parts of its territory. But the intention which has been expressed by the hon. Minister seems to be quite different from what we find in the wording of the section.

Under section 66B, it is evident that the State Governments are being vested with power to establish a board in that part or parts in which the Act is not in force. That section reads as follows:

"Where on account of the territorial changes brought about by the States Reorganisation Act, 1956, this Act is, as from the 1st day of November, 1956, applicable only to any part or parts of a State but has not been brought into force in the remaining part thereof, then notwithstanding anything contained in this Act, it shall be lawful for the Government of the State to establish one more Board for such part or parts."

The wording here is 'but has not been brought into force in the remaining part thereof' then it shall be lawful act' means that the State Government are vested with the power to establish a board in that part in which the Act is not in force. I am afraid this will create an anomaly or rather legal complications in the future. Again, under clause 2 we find that the following proviso is proposed to be added:

"Provided further that where on account of the territorial changes brought about by the States Reorganisation Act, 1956, this Act is, as from the 1st day of November, 1956, applicable only to a part of a State, the Central Government may by notification in the Official Gazette, bring this Act into force in the remaining part of that State with effect from such date as may be specified in the notification."

So it is clear from this wording that the wording of the proposed section 66B is against the intention of the Legislature, as stated in the Statement of Objects and Reasons. There it is stated:

"In some of the States, the Act is in force in certain parts only and it is proposed to empower the Central Government to bring the Act into force in the remaining part of such States. If, however, for any reason it is not found feasible to bring the Act into force in the remaining part of any such State and establish a Board for the whole of the State, it would at least be desirable to have a Board for such part or parts of the State where the Act is already in force."

But such is not the intention of the proposed section 66B. According to that, the State Government is authorised to establish Boards in those parts in which the Act is not in force. This in a clear wording. Therefore, I am afraid that when there is no law there is no authority, and when there is no authority every Act under that will be illegal.

Again sub-section (2) of the proposed section 66B is identical and analogous to the intention embodied in the proposed section 66B under clause 4 of the Bill. Under 66A, the State Government is authorised to dissolve, reorganise or re-constitute the Board, but before that it is incumbent upon the State Government to prepare a sort of scheme including some proposals for transfer of assets and liabilities. Then the whole thing is to be forwarded to the Central Government under the proposed section 66A(2). Then the Central Government, after necessary modification, may give effect to that scheme or not. But every order under that section shall be laid before each House of Parliament as soon as may be after it is made, in spite of the

fact that clause (2) of the proposed section 66B is quite identical and analogous to the main intention embodied in the proposed section 66A, there is no such provision embodied here

Therefore, I am afraid that when the State Government exercises its authority to reconstitute or reorganise any Board, that act will be *ultra vires*.

Then section 69(2) of the main Act says:

"If, immediately before the commencement of this Act in any State, there is in force in that State any law which corresponds to this Act [other than an enactment referred to in sub-section (1)] that corresponding law shall stand repealed."

Under the principal Act, when the Central Act comes into force, then the Act that is in force in the State shall stand repealed. Now, again an anomaly will be created. Under the proposed section 66B, the State Government is authorised to establish the Board in that part where this Act is not in force. So it means that the State Act is in force there. When the State Act is in force there, we are imposing the Board—against authority.

Therefore, I am of the opinion that in spite of the fact that this Bill is necessary, the wording of the proposed section 66B is rather unhappy or creates an anomaly. Therefore, I want to draw the attention of the hon. Minister to the necessity of necessary changes. In view of the proposed section 66B(2) and section 66A(2) as well as section 1(2) of the principal Act, some amendments are called for. With that end in view, I have tabled some amendments and if the hon. Minister

is not able to satisfy me, I shall see whether I shall have to move those amendments or not.

श्री सु० हि० रहमान (धर्मरोहा):

मोहतरम स्पीकर साहब, यह अमेन्डमेंट जैसा कि अभी कहा गया है बहुत ही जरूरी अमेन्डमेंट है, जो कि हमारे मामले बिल की शकल में पेश है। रिप्रेजेंटेशन ऑफ स्टेट्स की वजह से जो सूरते हाल पैदा हुई उसमें सन् १९५४ के व.फ. ऐक्ट में जो जरूरी तर्जुमात होनी चाहिये थी वह अब के पहले हो जाती, लेकिन अब पेश है। यह बहुत ही बेहतरीन और जरूरी है।

मेरे एक भाई ने जो मेम्बर बनाने का तरीका इस में बयान किया गया है उसके मुताबिक यह तबज्जह दिलाई है कि इसमें जर्मन-उन-उनेमाये-हिन्द, शिया कान्फरेंस और अहले हदीस, इन्हीं तीन का जिक्र किया गया है। यह जमाते दोनों कांग्रेस के चेहरे हैं, इस वजह से मुनासिब नहीं है कि खास इन जमातों का जिक्र हो। इसमें यह होना चाहिये कि कुछ गवर्नमेंट नामिनेट करे और कुछ दूसरी जमातों से इन्तखाब के जरिये धार्ये। मैं इस बारे में अपने मोहतरम मेम्बर की तबज्जह इस तरफ दिलाना चाहता हूँ कि जमयत उलेमाये हिन्द, शिया कान्फरेंस और अहले हदीस के नाम जो इसमें लिखे गये हैं वह महज इस वजह से नहीं लिखे गये हैं। जिस वकन व.फ. ऐक्ट सन् १९५४ सेलेक्ट कमेटी के मामले पेश था तो इस बात की कोशिश की गई कि कोई जमात ऐसी होनी चाहिये जो कि सजहबी जमान हो और जिन की तमाम मुल्क में रिप्रेजेंटेशन और एनमाद पब्लिक में हो और जिसकी शाखें हिन्दुस्तान की तमाम स्टेट्स में मिल सकें ताकि जो भी स्टेट उन में से किसी मेम्बर को लेना चाहे, वह ले सके।

जहां तक शिया कम्युनिटी का ताल्लुक है, जो मुस्लिम किस्म के ख्यालात के मेम्बर

[श्री मु० हि० रहमान]

पार्लियामेंट उस सेलेक्ट कमेटी में थे, उन्होंने शिया कान्फरेंस को यह हैसियत दी क्योंकि उस की शाखे तमाम हिन्दुस्तान में है। जमायत उलेमाये हिन्द को सूफी कम्युनिटी के एनबार में तरजीह दी, इसलिये कि तमाम स्टेट्स में ही नहीं, बल्कि उन के भ्रजला में भी उस की शाखे फैली हुई है। तीसरी जमात मजहबी और सोशल एनबार में ग्रहणे हदीस है, इन सब की शाखे हिन्दुस्तान की तमाम स्टेट्स में हैं उनके इलावा और मजहबी जमातें ऐसी नहीं हैं बल्कि किसी स्टेट में कोई जमात है, किसी में कोई जमात है।

श्री सरजू पांडे : जमायत उलेमाये हिन्द सयासी पार्टी है, मजहबी पार्टी नहीं है।

श्री मु० हि० रहमान : मैं जनाब स्पीकर साहब की तबज्जह इस तरफ दिलाऊंगा कि शायद मेरे मोहनरम भाई इस बान से बाकिफ नहीं है कि सन् १९४७ के बाद में जमायत उलेमाये हिन्द का कान्स्टिट्यूशन बदल चुका है और अब जमायत उलेमाये हिन्द पोलिटिकल बॉडी नहीं है, बल्कि एक रिलीजस और सोशल बाडी समझी जाती है और उसका कोई ताल्लुक अब बराह राम्न पोलिटिक्स में नहीं है। वह एक खालिम मजहबी और मोशल जमान है, कल्चरल जमान है। मैं यह भी तबज्जह दिलाऊ कि जहां तक मौजूदा जमायत उलेमाये हिन्द के कान्स्टिट्यूशन और शिया कान्फरेस और अहले हदीस कान्फरेंस के कान्स्टिट्यूशन का ताल्लुक है, अगर आप उन को पढ़ते तो आप को मालूम होता कि उन में सिर्फ काफ़ेसी होना जरूरी नहीं है। बल्कि उसके मकामिद, उसके काज, उसके उसूल और पालिमी को दूसरी जमातों के आदमी अपनाना चाहें तो वह भी उस के मेम्बर हो सकते हैं। जहां तक आज जमायत उलेमाये हिन्द का ताल्लुक है, इसमें कोई शक नहीं कि एक बड़ी तादाद ऐसे मजहबी आदमियों की निकलेगी जो एक

तरह से मजहबी और कल्चर की हैसियत से जमायत उलेमाये हिन्द में शरीक हैं जबकि पोलिटिकल हैसियत में वह काफ़ेसमीन भी हैं। लेकिन इस के साथ ही माथ पी० एम० पी०, एस० पी० और दूसरी जमातों के मेम्बरान भी जमायत उलेमाये हिन्द की शाखों के मेम्बर हैं। आज जो हमारी मर्कजी जमात है उसके मेम्बरस में भी काफ़ेस, पी० एस० पी० और दूसरी सियासी जमातों के लोग हैं। इसलिये यह बात नहीं है जो कि हमारे मोहतरम भाई फरमा रहे हैं। हा कम्युनिस्टों को यह हक हामिन नहीं हो सकता क्योंकि वह तो मजहब को मानते ही नहीं। लेकिन इस बहम का ताल्लुक इन्स्वाबी मामला से मुझे उसमें कोई एम्तलाफ नहीं है अगर आप उसे बदलना चाहें और मिनिस्टर साहब उसे तमलीम कर लें। मैंने तो सिर्फ तबज्जह दिलाई कि जो चीज बयान की गई वह सही नहीं है। इन जमातों का नाम पोलिटिकल जमाने हाने की वजह से नहीं है बल्कि इस वजह से है कि तमाम हिन्दुस्तान में इन की शाखे मौजूद हैं। बहरहाल यह तो सिर्फ एक हक है कि स्टेट गवर्नमेंट इन जमानों में से ले सकती है। चूंकि यह मांगल मजहबी और इन्चरान जमातें हैं इस एनबार में इस में से नुमाइन्दा लिया ही जाय इसके लिये यह बिल पाबन्द नहीं करना है कि दूसरी जमातों में न लिया जाय। दूसरी जमात के मेम्बर भी हो सकते हैं सिर्फ एक मेम्बर के लिये रक्खा गया है। यह नहीं है कि तमाम के तमाम मेम्बरान ही इस में से रक्खे जायें। अगर मुसलमानों में से दूसरी जमातों को भी नुमाइन्दगी देनी है तो मुस्लिफ स्टेट्स में जो हजरात असेम्बली में हैं और जो काफ़ेसमीन नहीं हैं, स्टेट गवर्नमेंट उन में से ले सकती है बल्कि उन को से लेना चाहिये, इस में मुझे कोई ऐतराज नहीं है। इसमें तो सिर्फ उनको रक्खा गया है जो कि ज्यादा से ज्यादा मुसलमानों की जमातें, जिन्हों की नुमाइन्दगी सही तौर पर कर सकें, इस लिये

بہت بڑا متنازعہ اور بھڑکی ہے کہ اس
امانتوں کا کیا ہے۔ یہ بڑا متنازعہ
کر رکھا گیا ہے اور یہ ہے۔ اور
بہتر حال امانتوں پر، پریکٹیکل طور پر،
جو امانت لگایا گیا ہے اس کے متنازعہ
کی وجہ سے کامیاب ہے۔

[شیخ ایم - ایچ رحمان : محترم
اسپیکر صاحب - یہ امانتیں
جیسا کہ آپ نے کہا ہے بہت ہی ضروری
امانتیں ہیں۔ جو کہ ہمارے سامنے
مل کی شکل میں ہیں۔ یہ
آؤ گئے ہیں اب اس وقت کی وجہ سے
جو صورت حال پیدا ہوئی اس میں
سنہ ۱۹۵۴ کے وقت ایک میں جو
ضروری ترمیمات ہونی چاہئے نہیں
اب سے پہلے ہو جائیں لیکن اب
پیش ہیں۔ یہ بہت ہی بہتر اور
ضروری ہیں۔]

میرے ایک بھائی نے جو میرے
مذات کے طور پر اس میں بہانہ کیا گیا
ہے اس کے متعلق یہ توجہ دلائی ہے
کہ اس میں جمعہ علماء ہند شیعہ
کانگریس اور اہل حدیث - انہیں
تین کا ذکر کیا گیا ہے۔ یہ جماعتیں
دونوں کانگریس کے چہرے ہیں۔ اس
وجہ سے مناسب نہیں ہے کہ خاص ان
جماعتوں کا ذکر ہو۔ اس میں یہ
ہونا چاہئے کہ کچھ گورنمنٹ نامہ
کے اور کچھ دوسری جماعتوں سے
انتخاب کے ذریعہ آئیں۔ میں اس
بارے میں اپنے محترم ممبر کی توجہ
اس طرف دلاتا چاہتا ہوں کہ جماعت

اہل حدیث کے نام جو اس میں
لکھے گئے ہیں وہ محض اس وجہ سے
نہیں لکھے گئے ہیں کہ یہ جماعتیں
کانگریس کی حامی ہوں بلکہ جس
وقت وقف ایکٹ سنہ ۱۹۵۴ میں
کمیٹی کے سامنے پیش تھا تو اس بات
کی کوئی کی گئی کہ کوئی جماعت
ایسی ہوگی چاہئے جو کہ مذہبی جماعت
ہو اور جن کا تمام ملک رہے۔ پرنسپل
ہو۔ اور ان پر اکثریت کا اعتقاد ہو
اور جس کی شاخیں ہندوستان کی
تمام اسٹیشنوں میں مل سکیں تاکہ
جو وہ اسٹیشنوں میں سے کسی ممبر
کو لینا چاہے۔ تو وہ لے سکے۔

جہاں تک شیعہ کمیٹی کا تعلق
ہے۔ دو مختلف قسم کے خیالات کے
ممبر پاولو امانت اس سلیکٹ کمیٹی
میں تھے۔ انہوں نے شیعہ کانگریس
کو یہ حیثیت دی کہونکہ اس کی
شاخیں تمام ہندوستان میں ہیں۔
جمعہ علماء ہند کو سلیکٹ کمیٹی نے
اعتبار سے ترجیح دی۔ اس لئے کہ
تمام اسٹیشنوں میں ہی نہیں۔ بلکہ
ان کے اہلکار میں بھی اس کی شاخیں
پھیلی ہوئی ہیں۔ دوسری جماعت
مذہبی اور سوشل اہلکار سے اہل
حدیث ہے۔ ان سب کی شاخیں
ہندوستان کے تمام اسٹیشنوں میں ہیں۔
ان کے علاوہ اور مذہبی جماعتیں ایسی
تھیں ہیں۔ بلکہ کسی اسٹیشن میں

[شری ایم - ایچ - رحمان]

کوئی جماعت ہے کسی میں کوئی جماعت ہے -

شری سر جو پانڈے : جمعیتہ علماء ہند سیاسی پارٹی ہے - مذہبی پارٹی نہیں ہے -

شری ایم - ایچ - رحمان : میں جناب اسپیکر صاحب کی توجہ اس طرف دلاؤں گا کہ شاید میرے مستحکم بھائی اس بات سے واقف نہیں ہیں کہ سنہ ۱۹۳۷ء کے بعد جمعیتہ علماء ہند کا کانسٹی ٹیوشن بدل چکا ہے - اور اب جمعیتہ علماء ہند ایک پولیٹیکل پارٹی نہیں ہے - بلکہ ایک رلیجیوس اور سوشل باقی سمجھی جاتی ہے اور اس کا کوئی تعلق اب براہ راست پولیٹیکس سے نہیں ہے - وہ ایک خالص مذہبی اور سوشل جماعت ہے - دلچسپ جماعت ہے - میں یہ بھی قوجہ دلاؤں کہ جہاں تک موجودہ جمعیتہ علماء ہند کے کانسٹی ٹیوشن اور وہی کانفرنس اور اہل ہدایت کانفرنس کے کانسٹی ٹیوشن کا تعلق ہے اگر آپ ان کو پڑھتے تو آپ کو معلوم ہوتا کہ ان میں صرف کانگریسی ہونا ضروری نہیں ہے - بلکہ اس کے مقاصد اس نے گز - اس کے اصول اور پالیسی کو دوسری جماعتوں کے آدمی اپناتا چھوڑتے تو وہ بھی اس کے ممبر ہو سکتے ہیں - جہاں تک آج جمعیتہ علماء ہند کا تعلق ہے اس میں کوئی شک نہیں کہ ایک بڑے تعداد ایسی مذہبی آدمیوں کی

نکلیگی جو ایک طرح سے مذہبی اور کلچر کی حیثیت سے جمعیتہ علماء ہند میں شریک ہیں جب کہ پولیٹیکل حیثیت سے وہ کانگریس میں بھی ہیں - لیکن اس کے ساتھ ہی ساتھ پی - ایس - اور دوسری جماعتوں کے ممبران بھی جمعیتہ علماء ہند کی شاخوں کے ممبر ہیں - آج جو ہمارے مرکز، جماعت ہے اس کے ممبروں میں بھی کانگریس - پی - ایس - اور دوسری سیاسی جماعتوں کے لوگ ہیں - اس لئے یہ بات نہیں ہے جو کہ ہمارے مستحکم بھائی فرما رہے ہیں - ہاں کمیونسٹوں کو یہ حق حاصل نہیں ہو سکتا کیونکہ وہ تو مذہب کو ماننے ہی نہیں - لیکن اس بحث کا تعلق انتظامی معاملہ سے نہیں ہے - مجھے اس سے کوئی اختلاف نہیں ہے اگر آپ اسے بدلیا چاہیں اور مسٹر صاحب اسے تسلیم کر لیں - میں نے تو صرف توجہ دلائی کہ جو چیز ہمارے ہاں کی نئی وہ صحیح نہیں ہے - ان جماعتوں کا نام پولیٹیکل جماعتوں ہونی کی وجہ سے نہیں ہے بلکہ اس وجہ سے کہ تمام ہندوستان میں ان کی شاخیں موجود ہیں - بہر حال یہ تو صرف ایک حق ہے کہ اس وقت کوئٹہ ان جماعتوں میں سے لے سکتی ہیں - چونکہ یہ سوشل - مذہبی اور کلچرل

جماعتوں میں - اس اعتبار سے ان
میں سے نمائندہ لیا ہی جاتا چاہیئے
اس کے لئے یہ بل پارلیمنٹ نہیں کرنا
ہے کہ دوسری جماعتوں میں سے نہ
لیا جاوے دوسری جماعت کے ممبر
بھی ہو سکتے ہیں - صرف ایک ممبر
کے لئے رکھا گیا ہے - یہ نہیں ہے کہ
تمام کے تمام ممبر ان ہی میں سے
رکھ جائیں - اگر مسلمانوں میں سے
دوسری جماعتوں کو بھی نمائندگی
دینی ہے تو مختلف اسٹیٹس میں
جو حضرات اسمبلی میں ہیں اور جو
کنگریس میں نہیں ہیں - اسٹیٹ
گورنمنٹ ان میں سے لے سکتی ہے -
بلکہ ان کو لے لیا چاہیئے اس
میں مجھے کوئی اعتراض نہیں ہے
بہر حال اس میں تو صرف ان کا
نام رکھا گیا ہے جو نہ زیادہ سے زیادہ
مسلمانوں کی جماعتی زندگی کی
نمائندگی صحیح طور پر کر سکیں -
اس لئے یہ بہت مناسب اور ضروری
ہے کہ ان جماعتوں کا ذکر رہے - یہ
بہت سوچ جائز کر رکھا گیا ہے اور
ممد ہے - اور عملی طور پر اور
پریکٹیکل طور پر جو اندازہ لگایا گیا
ہے اس نے مطابق ہوئی زیادہ فائدہ
مند ہے -]

Hafiz Mohammad Ibrahim: Sir, as far as the point raised by the hon. friend Shri Sarju Pande is concerned I quite agree with what has been said by Maulana Hifuzur Rahman Sahib in this House in regard to the Jamiat-ul-Ulama and the Shia Conference. I am certain that the hon.

Member did not know the present position about these two bodies. Otherwise, he would not have raised this point at all. They are purely and simply religious bodies and they are accepted to be religious bodies by all the Muslims whose Wakfs are concerned in this Wakfs Act. So, in regard to that I need not say anything more because section 11 needs no amendment for this purpose

As far as section 66B is concerned the hon. Member Shri Naldurgkar was pointing out that the purpose which I mentioned is not correct because what the wording of the section indicates is something different. That is not the case. The purpose is just the same as I stated. I stated that by virtue of 66B(1) and (2), the State and not the Centre, with its own authority can do one thing. It can establish one or more Boards for those areas which have become part of it after the re-organisation of states provided the Act is in force there. Further, if the States so desire, such Board may be dissolved or reconstituted as one single Board for the entire state. This is the thing which has been provided here; and the State has been enabled to do so. Therefore the purpose which I originally mentioned is quite clear and I need not say anything more

श्री सरजू पांडे : मैं वजीर साहब से यह जानना चाहता हूँ कि यह जो हवाई मौलाना साहब ने कहा कि जमायत उस उल्माए हिन्द में तमाम सियासी पार्टियों के लोग, कम्युनिस्ट पार्टी के घनावा बाकी सभी लोग हैं, मुझे कोई ऐतराज नहीं है कि इसमें जमायत उस उल्माए हिन्द के धादमी न रखे जायें, या शिया पोलिटिकल कान्फरेंस के या शिया पार्टी के धादमी न रखे जायें, जरूर रखे जायें और स्टेट्स शिया कान्फरेंस के धादमी भी जरूर रखे जायें। मेरा तो कहना यह है कि जमायत उस उल्माए हिन्द का चाहे आप उसका कास्टीट्यूशन जो भी बवल दें मगर यह बात सही है कि यह सिद्ध

[श्री सरजू पांडे]

कांग्रेस की हमी भरती है और यह पार्टी हमेशा से कांग्रेस के प्रोग्राम पर धमल करती आई है जो अब तक कांग्रेस करती आई है। मेरा ऐतराज यह है कि जमायत उल उल्माए हिन्द के उस डिक्लेरेशन के बावजूद कि वह सिर्फ माशरती और मुसलमानों के मजहबी कामों को करेगी, साथ ही साथ पालिटिक्स में भी उसका दखल है और यह कहना कतई सौर पर सही नहीं है कि उसमें दूसरी पार्टियों के लोग हैं, मैं यह कह रहा था।

अध्यक्ष महोदय आपने जो आपका ब्यास है प्रकट किया लेकिन मंत्री महोदय सम्भवतः ऐसा नहीं समझते।

He says one thing What is the explanation that is required here? Notwithstanding the explanation given he still feels that it is a political body Nobody can erase an impression

Hafiz Mohammad Ibrahim: The Jamiat-ul-Ulama is not a political body. It renounced its political character just after independence. It has been stated by Maulana Sahib in his speech. It has confined itself to religion and discarded all those political colours which it had before. It is no more that sort of body.

Mr. Speaker: That is right.

Hafiz Mohammad Ibrahim: Besides, as far as the Jamiat-ul-Ulama or the Shia Conference or any other body is concerned, if we read section 11 which provides for the personnel of the Board, I think, this question should not have been raised.

Mr. Speaker: The question is:

"That the Bill to amend the Wakf Act, 1954 be taken into consideration."

The motion was adopted.

Mr. Speaker: There are no amendments to clauses 2 and 3,

The question is:

"That clause 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill

Clause 4.—(Insertion of new section 66A and 66B)

The Deputy Minister of Irrigation and Power (Shri Hathi): Sir, I beg to move

Page 3, line 27—

after "such part or parts" insert "in which this Act is in force" (4)

This is just to make it amply clear that this power will be given to the States for establishing such Boards in that part of the State to which this Act applies

Mr. Speaker: The question is:

Page 3 line 27—

after "such part or parts" insert "in which this Act is in force" (4)

The motion was adopted.

Mr. Speaker: The question is:

"That clause 4, as amended, stand part of the Bill"

The motion was adopted.

Clause 4, as amended, was added to the Bill

New Clause 5

Shri Ajit Singh Sarhadi (Ludhiana): Sir, my amendment is a formal one. I move—

Page 3,—

after line 40, add—

"5. Amendment of section 67.—After sub-section (2) of section

67 of the principal Act, the following sub-section shall be added, namely:—

“(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”

This is a formal amendment that the rule should be placed before the Houses and subject to the approval of the Houses. I hope Government will accept this.

Haftz Mohammad Ibrahim: I am very sorry that in view of the provisions in the principal Act this amendment cannot be accepted. It is probably out of order. I should have taken this question earlier. The position is that under section 67 of the principal Act the State Government may by notification in the official gazette make rules to carry out the purposes of this Act. That is, the rule-making power according to the principal Act vests in the State and not in the Centre. It is impossible for the State to make a rule and lay that in this House or in the other House. So, the amendment is out of order.

Shri Ajit Singh Sarhadi: It is the practice to say that whenever a rule is made it should be placed before the House.

Haftz Mohammad Ibrahim: I have already pointed out that the rules are to be made by the State Government according to the principal Act and not by the Centre. That is the provision, and I can read that Under the principal Act the rule-making power vests in the State Government and not in the Central Government.

Mr Speaker: Does the hon Member press his amendment?

Shri Ajit Singh Sarhadi: In view of what the hon Minister has said I do not press it.

The amendment was, by leave, withdrawn.

Mr Speaker: We have disposed of clause 4, as amended. There is no clause 5. The question is—

That clause 1, the Enacting Formula and the Title stand part of the Bill.

The motion was adopted.

Clause 1 the Enacting Formula and the Title were added to the Bill.

Haftz Mohammad Ibrahim: Sir, I beg to move—

“That the Bill as amended be passed.”

Mr Speaker: The question is—

“That the Bill as amended be passed.”

The motion was adopted.

RAJASTHAN AND MADHYA PRADESH (TRANSFER OF TERRITORIES) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move—

“That the Bill to provide for the transfer of certain territories from the State of Rajasthan to the State of Madhya Pradesh and for matters connected therewith, be taken into consideration.”

[Shri Datar]

This is a non-contentious matter. Sir, you are aware that the two Governments have together taken up the implementation of a plan known as the Chambal plan. It is a very expensive plan and as the House is aware from the report of the Ministry of Irrigation and Power, its first stage is now going on and is likely to be completed in 1962. When the scheme was undertaken, the area, especially so far as the Gandhi Sagar Dam was concerned, was on the border of the two States and the work had to be carried on in such a way as to have the fullest efficiency. For that purpose, the original idea was that though it was being carried on in the Madhya Pradesh area, the Rajasthan State would agree to have all the arrangements made by M.P. State Government. Ultimately, it was found that such an arrangement may not at all be satisfactory. A number of questions arose. Often time the law and order questions also arose and certain difficulties came in. So, it was considered necessary that the particular site that was required for this dam should be transferred from the Rajasthan area to the Madhya Pradesh area. The area is not a very extensive one; it is given in the First Schedule to the Bill. It comprises in all a total area of 3648 bighas from the first village, 1456 bighas from the second village and 678 bighas from the third village. The grand total comes to 5784 bighas or 3085 acres. Though this area was in the State of Rajasthan it has been found convenient, by an agreement between both the Governments, that this area should be transferred from the Rajasthan State to the Madhya Pradesh State. Naturally, when such areas have to be transferred, certain procedure is followed. The first thing is the agreement between both the States. I am very happy to find that there was such an agreement at the Government level in the first instance. Thereafter, the exact area was demarcated. According to article 3 of our Constitution, it is necessary that this

matter should be considered by the legislatures of both the States. They have done so and I have before me a resolution passed by both Houses of the States of Madhya Pradesh and Rajasthan. They have agreed to such a transfer. But such a transfer can only be effected under the Constitution by the Parliament. That is the reason why we have brought forward this Bill for the purpose of giving effect to the agreement that has taken place between the two Governments. The Bill would come into force from the 1st of October, 1959.

Certain supplemental and consequential changes have to be made. Even when an acre of land is to be transferred a number of provisions have to be made both with regard to the actual area and the administrative manner in which it has to be transferred from one State to the other. It has been provided that the territories so transferred shall be included in and form part of Bhanpura paragana of Mandla district in the State of Madhya Pradesh. Certain changes have to be made in the First Schedule to the Constitution under the heading 'States'. In the First Schedule to the Bill various details have been given regarding the extent of the area affected. A number of consequential arrangements have to be made regarding the High Court, regarding the civil suits pending and other things. I need not bother this hon. House with all those details; they are of a consequential nature.

It is a very important project, it has got great potentialities for generation of power and also for bringing in lakhs of acres under irrigation. For the proper implementation of this great project, both the State Governments came together and agreed to formally transfer that territory so that difficulties, whether administratively or legally or constitutionally, may be tackled properly. Both the States are interested in the proper implementation of this very important

project and Parliament is also interested in seeing to it that large tracts of Madhya Pradesh and Rajasthan are brought under irrigation and they get electric power to the extent possible. I am confident that this would be accepted by this hon House also.

Mr. Speaker: Motion moved:

"That the Bill to provide for the transfer of certain territories from the State of Rajasthan to the State of Madhya Pradesh and for matters connected therewith, be taken into consideration"

Shri P. S. Daulta (Jhajar): Sir, the Bill as stated by the hon Minister intends transferring some 3085 acres of land from one State to another. The purpose of the Bill is good; the reason given is very sound. The reason is that the dam has got its base in more than one State and it cannot therefore be efficiently or smoothly executed. The procedure that is followed is very simple because this is for administrative purposes; it need not be referred to arbitration or any report from any commission so far as this Bill is concerned as there is hardly anything which is to be opposed or to be talked out though two hours have been allotted to this Bill; it is meant to discuss the practice of transferring territory from one State to another without seeking any arbitration or report from any commission. It is not a good practice though the transfer in this case is done for a very good purpose. But this is pregnant with great potentialities for good and for bad, keeping in view the political context in which we are. It looks to be a very innocent practice. But today the hard fact is that the Centre is being ruled by one party and all the States are also being ruled by the same party. The procedure that has been followed for transferring one particular territory from one State to another is like this. The Centre makes up its mind and it prepares the Bill under the proviso to article 3 of the Constitution.

12 hrs.

Shri Datar: The States make up their mind in the first instance.

Shri P. S. Daulta: For good or for bad.

Shri Datar: Whatever it may be.

Shri P. S. Daulta: But this is for good.

Mr. Speaker: If both the States indulge in bad things, who can help?

Shri Datar: Both have agreed here.

Shri P. S. Daulta: It is very easy for them to agree when the same party is ruling over both the States and also the Centre. I say, Sir, very big political consequences can follow from it. I do not say or allege that it will happen in future, but of late we are somewhat disillusioned. On the eve of election if the party in power at the centre finds—I take, for example, Uttar Pradesh—

Mr. Speaker: No, no; all that is irrelevant.

Shri P. S. Daulta: The relevancy is this.

Mr. Speaker: Order. order. Let us not enlarge the scope of this Bill. The question now is, is the hon. Member dissatisfied with the transfer that is contemplated in this Bill? So far as this case is concerned he may be satisfied, but if he wants to object on technical grounds that the law or the Constitution provides a different procedure that ought to be followed he may do so. Nobody can be certain who is going to be ruling at the Centre and the States, but to talk about all the 14 States and about what happened in respect of those States, we will have to start a 'budget speech' here.

Shri P. S. Daulta: Then, Sir, my case is this, that even this transfer without referring to arbitration or without having a convention that no territory will be transferred from one State to another without referring

[Shri P. S. Daulta]

to a judicial commission will produce a very bad result if followed in future. Simply to illustrate that I will take the instance of a State. On the eve of election, say in 1962, the Congress Party that is in power at the centre and also in Uttar Pradesh, may find Eastern U.P. inconvenient for purposes of election and may decide to take this territory from U.P.

Mr. Speaker: Is there any provision for arbitration anywhere?

Shri P. S. Daulta: I am coming to the Constitution itself. If the Party in power at the Centre decides that Eastern U.P. has to be taken from Uttar Pradesh.

Mr. Speaker: No, no; I am not going to allow all this. Unnecessarily the hon. Member is trying to import heat where there is no heat now at present. Why should he hypothetically take Eastern U.P. and Western U.P.? Hon. Members must speak relevantly on the issue. If he says that the procedure prescribed by the Constitution has not been followed, let him speak on that particular point. If on the other hand, he says that even though that procedure has been followed it is not right that this territory should be transferred on the basis of facts, let him say so. I am not going to allow other matters. Hon. Member will have ample opportunity if and when Eastern U.P. is transferred to Western U.P. Has he nothing more to say?

Shri P. S. Daulta: Sir, I was saying that this practice

Mr. Speaker: What is the unconstitutional method by which this has been brought up before this House?

Shri P. S. Daulta: Sir, there are many things which are constitutional but which should not be done in the healthy practice and development of democracy.

Mr. Speaker: I cannot allow a general speech here. The question now is, what is the objection that the hon. Member has from a constitutional or legal point of view or based on facts or on merits?

Shri P. S. Daulta: Firstly, Sir, my objection is that in the case of territories being transferred from Andhra to Madras there was an arbitration—Shri Pataskar's arbitration was there—but in this instance a case has been made that on administrative grounds it has not been referred to arbitration. My humble submission is this, that if this practice is followed in future—it can be used for good and for bad—you can create new States without referring to any States Reorganisation Commission, you can readjust territories, you can meet the demands of the people under this very process.

Mr. Speaker: Has there been any difference of opinion between these two States as between Andhra and Tamil Nad?

Shri P. S. Daulta: That was what I was going to speak about. I was not allowed to illustrate that. How can there be a difference of opinion when the same party rules over both the States and the centre?

Mr. Speaker: What can be done?

Shri P. S. Daulta: Can nothing be done? Cannot there be some restraint on the part of the ruling party? Let me at least warn them, for good or bad. There is nothing irrelevant about this. Supposing in 1962, on the eve of elections the Congress Party thinks that a particular State has to be disintegrated and it makes up its mind on that it will refer it to the States concerned under the proviso to article 3 of the Constitution and if the Congress High Command gives a hint it will be approved and the State will be disintegrated at any time. I do not say that the ruling party

Bill

will misue it. It can use it for good purposes also. For instance, take the case of the good Haryana Prant. Without doing much some other Bill can be brought here with some territories added on to Delhi and a new State will come into existence. Therefore, it can be used for good purposes also. I do not say that it is going to be used for bad purposes only, but what I say is that there is great potentiality in this practice and without referring the matter to anybody it can be used for good and for bad purposes.

Personally, Sir, I have no objection if the entire territory which is going to be benefited by a dam is brought under one State. I am prepared to go to this extent. You know, Sir, in Punjab we have the Bhakra Dam. It has two wings: irrigation and electric. We, people of Punjab, do not get electricity for electrifying.

Mr. Speaker, I am not going to allow all this. The hon. Member started by saying that unnecessarily two hours have been allotted for this Bill. I am afraid, the hon. Member is trying to fill up those two hours.

Shri P. S. Daulta. It has been allowed deliberately, Sir, knowing that the practice followed is a very significant one, and it was understood.

Mr. Speaker: Whatever it may be, I am not going to allow irrelevant matters to be brought up here.

Shri P. S. Daulta. Let me read out the reasons given in this. The reason given is that because a particular dam cannot be executed smoothly without putting its base in one State this has been done. I say that a dam cannot be executed smoothly even if the beneficiary territory is beyond its jurisdiction. Personally, I think if a dam irrigates land in Rajasthan and Punjab or, as in the case of Bhakra, it gives electricity to Punjab and Delhi, it will create complications. To avoid such complications, the dam should be confined to the territory in which it is located. If its beneficiaries

are outside the territory in which the dam is located, then they should know that they cannot say later on that they cannot pay any levy that is imposed on the electric current or water that they consume taking rescue under technical or legal grounds as is done by the Delhi Corporation. Delhi, which consumes electric energy from Bhakra Nangal, is situated outside Punjab and Punjab cannot impose any levy on Delhi for electricity consumption. That means, Sir, if a dam located in Punjab gives benefit to Delhi, Delhi may refuse to pay the cost under this legality.

So I say, Sir, personally I have no objection if all the beneficiaries of a particular dam are put in one State. In that case nobody will deny the benefit that is being received. Now it is a very simple thing. When any territory is to be transferred from one State to another you have only to refer it to the States concerned after which you can make some alteration in the Schedule and the Definition by adding or subtracting something and then guaranteeing the continuity of sitting M.L.A.s and M.P.s. I would suggest to the Home Ministry that this procedure may be followed and should be followed for meeting the bigger demands and bigger adjustments of territories, because the procedure will be the same whether the territory involved is 500 acres or 500 miles. I must say that the re-birth of Haryana can be assured under this very process by the Home Ministry. It is a very simple thing now. We were in existence in 1857. Our fault was that we fought with the Britishers. The ultimate victory was there, and we were disintegrated. My argument is very simple. If a dam cannot be executed smoothly because it lies in two States, how can one community, which is united historically and linguistically and culturally and which is scattered in as many as four States, lead a good and prosperous life? So, I will say that if a dam cannot be executed because it is in two States,

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[Shri P. S. Daulta]

then, the Harians cannot prosper because they are in four States around In Delhi, this was the case before 1857. On administrative grounds you can say that because men from Meerut or Ghaziabad have to go 300 miles or 200 miles if they want to go to Allahabad and they can come to Delhi which is within 32 miles, a change can be made. Similar is the case with Rajasthan. It will solve many problems, particularly because of this I read a news item in the newspapers early in the morning That was about the creation of Haryana under this very process, and we will have many untoward scenes,

Mr. Speaker: If he wants an assurance from the hon Minister,—he would not touch Haryana'

Shri P. S. Daulta: The Ministry is the same The procedure is the same whether we are transferring five acres or transferring 200 miles The procedure is the same and I find it very simple That is why I feel tempted to say this We have just read today in the newspapers about the upsurge in Punjab for a Haryana Prant and if the Haryana Prant is created very good things will happen

Mr. Speaker: The hon Member seems to have a bee in his bonnet Haryana is far away

Shri P. S. Daulta: I shall finish with this suggestion, namely, be creating a Haryana Pranth now, when the communal forces in Punjab are having a very high morale after having had a "frenzy" and mass upsurge as termed by no less a person than our Prime Minister, they are going to strike in Punjab this mass upsurge after the election in five or six months to the religious body So, I say, do it in time Or, do not allow these communal forces a strong handle to beat the democratic forces there

Mr. Speaker: There is no meaning in the hon. Member referring to them when I said he ought not to refer to them, and he is going on referring to them.

Shri P. S. Daulta: I say that Haryana can be created under this very process and that will avoid many ills .

Mr. Speaker: The hon. Member will kindly resume his seat. Shri Kasliwal

Shri Kasliwal (Kota): I rise to speak on this Bill in this discussion because I happen to be a sitting Member of the constituency out of which this area is going to be taken out and added to Madhya Pradesh. I will say at once that I am not opposing the Bill, because I am conscious of the fact that both the Rajasthan and Madhya Pradesh Government have agreed to the transfer, and secondly, it seems from the Statement of Objects and Reasons that both the legislative assemblies of Madhya Pradesh and Rajasthan seem to have deliberated over this But there are a few objections which I propose to raise

You will recall that at the time when the States Reorganisation Bill was under discussion in the House, matter similar to this was raised, namely where there was a dam site in a particular State but the waters were proposed to be given to another State, what would be the position of that dam site This matter was also raised at that time

13.15 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

We were then told that there would be no difficulty because there was a section called section 108 in the States Reorganisation Act which says that for the better administration and continuance of agreements and arrangements relating to certain irrigation projects or multi-purpose projects and for the better administration thereof, such a

change could be made, and it amply provides against all difficulties.

When the hon. Minister made his speech today he did not refer to section 108 of the States Reorganisation Act at all as to whether section 108 of that Act had failed to carry out the intention with which it had been enacted and had failed to do what they had tried to do. It was the duty of the hon. Minister to tell us that section 108 no longer was applicable so far as the transfer of this territory from Rajasthan to Madhya Pradesh was concerned. He did not say anything. On the contrary, the Statement of Objects and Reasons only says: "for the better execution and administration thereof". But then section 108 itself is meant for this purpose. I do not understand why when section 108 of the States Reorganisation Act is there and for the last five or six or perhaps more years this particular dam site has been under construction under the agreement, under the aegis of the Central Government, between both the States, this transfer should take place now, and what was the reason now for the transfer of this territory from Rajasthan to Madhya Pradesh. He did not say a word. I would like the hon. Minister to satisfy me and satisfy this House on this particular point.

Secondly, there is another matter to which I would like to refer. That is with regard to clause 11. If you will please see clause 11, you will see that it relates to the extension of laws. Clause 11 says, "from the appointed day"—and the appointed day is 1st October, 1956—all laws which have been promulgated by the Rajasthan Government will cease to exist in this particular territory and the laws of Madhya Pradesh will immediately thereafter apply. This was not the position—and I will refer you to at least three Acts—and this has never been the position which has been taken in other States.

Take the case of the States Reorganisation Act itself. Section 119 of the

Act says that so far as the question of the applicability of laws is concerned it will be presumed that as though the territory had not been transferred. In other words, the laws which have been in existence before the transfer of the territories to another State will continue to be in force in that State unless the State legislature had after sometime taken steps to the contrary. Section 119 is very clear and it refers to the territorial extent of the laws.

Again, my friend the Minister of State in the Ministry of Home Affairs may say that this is a general thing, but I will tell him that this is not a general thing because there are further Acts. I will draw his attention to the Bihar and West Bengal Transfer of Territories Act. What is the name of the Bill under consideration? It is, "The Rajasthan and Madhya Pradesh (Transfer of Territories) Bill". Here also, that is, in the Bihar and West Bengal Transfer of Territories Act, in section 43, the same thing is reproduced as was stated in the States Reorganisation Act. It also says the same thing, namely, that so far as the extent of laws was concerned, the old law of the old State will continue to apply unless steps to the contrary have been taken by the legislature of that State to which the territory had been transferred.

Then there is another Bill and this has been sent to us only today. I believe it was placed on the Table of the House only today—the Andhra Pradesh and Madras (Alteration of Boundaries) Bill. My friend may say that it is really alteration of boundaries and has nothing to do with the transfer of territory. But when you alter boundaries it really means that you are transferring territories. It is only a question as to how he has put the Bill. What does that Bill say? This Bill says exactly the same thing. It reproduces the very language contained in the States Reorganisation Act and in the Bengal and Bihar (Transfer of Territories) Act. I want to know the reason why this distinction has been made in the case of the

[Shri Kasliwal]

transfer of territories envisaged in this Bill. There has been so much confusion with regard to this that the population of these enclaves which are now being transferred have continued to suffer particularly in relation to sales tax. Representations have been made to the effect that on the same commodities twice or thrice sales tax has been realised from them and there is no remedy. I cannot understand all this

The reason for this is that all kinds of laws are being put in; all kinds of clauses are being put in without understanding their implications. I wish the Home Minister applies his mind and tells us why this distinction has been made in this particular case. The States Re-organisation Act, the Bengal and Bihar (Transfer of Territories) Act and the Madras and Andhra (Alteration of Boundaries) Act say the same thing. But so far as Rajasthan and Madhya Pradesh (Transfer of Territories) Bill is concerned, overnight something has taken place and the result is that all these people who have been paying sales tax will have to pay tax on that again. I would draw the attention of the hon. Home Minister to this particular matter. I am not opposed to the provisions of this Bill, but I am only drawing his attention to this matter. If he is prepared to accept an amendment along the lines I have suggested, as contained in the West Bengal and Bihar (Transfer of Territories) Act, I am prepared to put in an amendment, provided he shows his willingness and readiness to accept it.

Shri Achar (Mangalore): Mr Deputy-Speaker, Sir, both the States of Rajasthan and Madhya Pradesh have agreed to this change of territory and I support the Bill. But I am afraid that I am not in agreement with the principle on which the Bill is framed. I would like to make a few observations on that aspect. No doubt the formalities of the Constitution have been attended to and the legislatures

have been consulted. But more than the territory, I would give importance to the persons living in that area. It may be one acre or 100 square miles, but the point we have to consider is, what do the people in that area think. If the transfer is made simply because that area is required for some administrative or political purpose, I will protest against it.

After all, while forming the States, the main points that were considered were the questions of language, culture and other advantages that a particular area would have by being in a particular State. In fact, these were the main questions considered by the States Re-organisation Commission. If we consider it from the democratic point of view, the most important point is, what would be the reaction of the people living in that particular area. The true test of democracy lies in how the wishes of the minorities are respected. If a particular section of the people want to be in a particular State, unless there is anything against national interest or something like that, they must be allowed to remain in that State which they like. I do not know that area exactly. It is no doubt small—about 3000 acres, or so. Maybe there is no conflict of language or culture or anything of that kind. But it is not merely a question of this piece of land or that piece of land. The most important point is the attitude of the human beings there. Often there are arguments like, "What does it matter if a piece of land is in which State?" I protest against that argument. Today when the Minister made a statement on this Bill, no respect was paid to the feelings of the people living in that area.

An Hon. Member: You want a referendum for that?

Shri Achar: That is not relevant now. This problem is not only in Rajasthan and Madhya Pradesh but it is a bigger problem. The Speaker has

already ruled that we should not go into that and I will not do so. But we know what sensation there is with regard to Bombay. We know what feelings there are in other States like Orissa and Bihar. I only submit that Government should consider the question not from the point of view of this piece of land or that piece of land, but they must consider the human beings there. It is not merely tigers and elephants that are living there. There are human beings and their feelings should be taken into consideration. Of course, I have not gone to that area and I do not know what exactly it is; but all the same, I felt that this aspect of the question has to be emphasised and I have done so. I thank you for giving me this opportunity

श्री रानमह माई बर्मा (तिमाड) :
उपाध्यक्ष महोदय, श्रीमान्, आपकी मददरन में जो यह बिल हमारे डिप्टी होम मिनिस्टर द्वारा हाउस के अन्दर रखा गया है, मैं इसका समर्थन करने के लिये खड़ा हुआ हूँ।

महाने प्रथम मैं राजस्थान के मुख्य मंत्री जी को मुबारकबाद आपके द्वारा और हम हाउस के सदस्यों के समर्थन से देना चाहना हूँ कि उन्होंने देश की एक महत्वपूर्ण योजना के लिये महानुभूति बनाने हुए अपना हिस्सा उन्हें कितना अदा करना है, उसके लिये आगे आये हैं। उन्होंने कोई अपनी क्षेत्रीयता या अपने प्रदेश या अपनी चीज का मोह नहीं बताया है और वे सारे देश की जनता किम तरह से नृणहान बन सकती है और उसमें राजस्थान गवर्नमेंट और राजस्थान की जनता का क्या सहयोग चाहिये वह देने के लिये आगे आये।

मह जो बिल यहाँ पेश किया गया है यह सेंट्रल गवर्नमेंट द्वारा पेश किया गया है लेकिन सेंट्रल गवर्नमेंट की इच्छा से नहीं बल्कि राजस्थान गवर्नमेंट और मध्य प्रदेश गवर्नमेंट दोनों ने ही आपस में चर्चा करके इस नतीजे

पर पहुँची और दोनों ने ठहराया कि ३००० एकड़ के करीब जो जमीन है वह इस पवित्र योजना के लिये मध्य प्रदेश गवर्नमेंट को सौंप दी जाए। उन सरकारों की इच्छा से यह बिल लाया गया है।

मैं यह निवेदन करना चाहता हूँ कि आज तक जो यह हिस्सा राजस्थान में रहा उसके बहुत बुरे परिणाम आए क्योंकि वह जो चम्बल डैम बन रहा है वह दोनों प्रदेशों की हद पर है। उस डैम का कुछ हिस्सा राजस्थान में आता है और कुछ हिस्सा मध्य प्रदेश में आता है। जो सरा कैम्प है वह राजस्थान के हिस्से में है। जहाँ मानी मशीनें बन रही रबी हुई है वह हिस्सा राजस्थान में है और जो मांग काम बन रहा है वह मध्य प्रदेश गवर्नमेंट द्वारा बन रहा है। इसमें बड़ी दिक्कत हो रही थी क्योंकि जो मांस लाना जाता था वह मध्य प्रदेश गवर्नमेंट को अपने साधनों द्वारा लाना होता था। जो ट्रक्स लोडिंग का काम करने थे उनको लाइसेंस मध्य प्रदेश की सरकार देती थी। लेकिन चूँकि राजस्थान और मध्य प्रदेश का हिस्सा जुड़ा हुआ है और अगर मध्य प्रदेश की ट्रकें एक या आधा कलॉग भी राजस्थान के हिस्से में चली जाती थी तो उनका चालान हो जाता था। इसके लिये यह जरूरी होना था कि वे ट्रक राजस्थान और मध्य प्रदेश दोनों जगह से ऐक्टो के मानकन रजिस्ट्रेशन करावें ताकि वे दोनों हिस्सों में जा सकें और इसके लिये उनको बहुत ज्यादा चार्ज देने पड़ते थे।

एक और महत्व की बात है। बहुत से ऐम काम हैं जो कि प्रदेश के हिसाब से करने पड़ते हैं। वहाँ पर जो अधिकांश काम करने वाले लोग हैं, अधिक और टेक्नीकल हैं इस वह अधिकांश दक्षिण भारत के हैं। उनमें लोकल लोग बहुत कम मिलेंगे। इन लोगों का खाना पीना चावल का है और सरा

[श्री रामसिंह भाई वर्मा]

कैम्प जो है वह राजस्थान की हद में है। राजस्थान में चावल नहीं होता। चावल मध्य प्रदेश के हिस्से में होता है और मध्य-प्रदेश में यह बिन लगा दिया गया है कि चावल मध्य प्रदेश से बाहर नहीं जा सकता। मध्य प्रदेश की गवर्नमेंट के मातहत वे हजारों लोग काम कर रहे हैं जिनका खाना चावल का है। उनको खाने के लिये चावल कहां से पहुंचाया जाए इसकी बड़ी कठिनाई है। आज समस्या यह है कि काम करने वाले लोग सारे राजस्थान के हिस्से में रहते हैं क्योंकि कैम्प राजस्थान के हिस्से में है और काम मध्य प्रदेश शासन द्वारा हो रहा है। चावल मध्य प्रदेश गवर्नमेंट पहुंचाना चाहती है लेकिन कानून है कि मध्य प्रदेश से चावल दूसरे हिस्सों में नहीं ले जाया जा सकता।

और भी बहुत सी कठिनाइयां हैं। मध्य-प्रदेश गवर्नमेंट का प्राजक्ट में काम करने वालों के लिये अस्पतालों की मेटर्निटी होम की शिक्षा आदि की व्यवस्था करनी है लेकिन जिस क्षेत्र में यह काम करना है वह राजस्थान सरकार का है और पैसा मध्य प्रदेश सरकार का है। जब तक वह हिस्सा मध्य प्रदेश सरकार के हाथ में नहीं आता तब तक वह काम शुरू नहीं हो सकता। हम इस चीज को इस तरह सोच सकते हैं कि यह काम तो इस देश की जनता के लिये ही किया जा रहा है और देश भी तो एक ही है। लेकिन कानून का उल्लंघन जिस प्रकार एक व्यक्ति नहीं कर सकता उसी प्रकार एक गवर्नमेंट भी नहीं कर सकती। दोनों के ही ईमानदारी से कानून का पालन करना होता है। इसलिये जब तक यह कठिनाई दूर नहीं की जाती तब तक काम चलाना कठिन होगा।

मैं आज की ही बात कर रहा हूँ। मैं अपने भन्नी जी को और सदन को यह जानकारी दे रहा हूँ। कल कुछ मनचले लोग न

मालूम कहीं से घा गए। न मालूम कहीं के हैं। अगर वे कोई ट्रेड यूनियन वाले होते तो समझ में आ सकता था। या कोई और राजनीतिक लोग होते तो समझ में आ सकता था। वह पांच पच्चीस का टोल है। चम्बल पर जाकर उन्होंने लोगों को भड़काया कि यह जो हमारा सुपरबाइजर है यह बहुत गलत धादमी है और लोगों से बहुत बुरी तरह पक्ष धाता है और इसको समझ लिया जाए। यह क्षेत्र राजस्थान का है। मध्य प्रदेश सरकार का नहीं है। इन लोगों ने काम करने वालों को भड़काया ही नहीं बल्कि लोगों को जमा करके उनको काम पर नहीं जाने दिया। आज वहाँ का काम बन्द पड़ा हुआ है। भन्नी जी को मालूम है या नहीं यह मैं नहीं जानता। लेकिन मुझे अच्छी तरह मालूम है कि आज चम्बल का काम बन्द पड़ा है। और इन थोड़े से लोगों ने राजस्थान की हद में काम करने वालों को रोक रखा है और मध्य प्रदेश की हद में उनको नहीं जाने देने जो लांग पावर हाउस में काम करने जाने वाले थे उनको भी नहीं जाने दिया। वहाँ राजस्थान की पुलिस का प्रबन्ध नहीं है पालन अगर है तो मध्य प्रदेश गवर्नमेंट का है। मध्य प्रदेश गवर्नमेंट की पुलिस का प्रबन्ध है। किन्तु राजस्थान के क्षेत्र में मेरे लोगों को पुलिस बीच कर मध्य प्रदेश में नहीं ला सकती क्योंकि वहाँ पर उनका जूरिस्टिक्शन नहीं है। अगर वह हिस्सा आज मध्य प्रदेश गवर्नमेंट के हाथ में होता तो आज वह बात न होने पानी कि जो लोग देश के विकास के लिए काम करना चाहते हैं उनको इस तरह से रोका जा सकता। हमें कुछ व्यावहारिक होषा चाहिये। हमें यह सोचना है कि वह जमीन सारे भारतवासियों की है और उनके उपयोग के लिये है। अब व्यवस्था कानून की है और उसके मातहत चन्ना, पन्ना, जोसफ इबाहीम जो भी लोग काम करते हैं वे सब देश के हैं। लेकिन कानूनी बन्धन को हमें सरस कर देना होगा और उन कठिनाइयों को दूर कर देना जो विकास

के काम में बिच पैदा कर रही हैं। तो मैं यह निवेदन कर रहा हूँ कि यह जो बिल लाया गया है उसके द्वारा, कोई हिस्सा मध्य प्रदेश को दिया जा रहा है ऐसी बात नहीं है। यह हिस्सा तो देश की एक बड़ी विकास योजना के लिये दिया जा रहा है जिसका अधिकोश कामवा राजस्थान को मिलने वाला है। जिस हिस्से की बात की जा रही है वह मेरी जन्म भूमि है राजस्थान में। इसलिये उसके बारे में मुझे ज्यादा दर्द हो सकता है। लेकिन आज मुझे बड़ी खुशी हो रही है कि उस पवित्र भूमि का ऐसा उपयोग होने जा रहा है जिस से मध्य प्रदेश और राजस्थान दोनों की जनता सुखी होगी। यह हिस्सा ऐसा है, जो हिन्दुस्तान के दूसरे हिस्सों की भी मदद कर सकेगा। उस हिस्से में कितनी कठिनाइयाँ पैदा हुईं। वहाँ मजदूरों की शोषणियों में भाग लगी, लेकिन मध्य प्रदेश का फायर ब्रिगेड राजस्थान की हद में कैसे धायगा? वहाँ कई दफा डाके पड़े, चोरियाँ हुईं, खून हुए। तीन तीन दिन तक लाश पड़ी रही, क्योंकि राजस्थान की पुलिस वहाँ नहीं है। इतना जरूर हुआ है कि जिस दिन इस योजना की शुरुआत हुई, उस दिन राजस्थान और मध्य प्रदेश की सरकारों ने वहाँ शराब की दुकानें खोल दीं और कम्पीटीशन हुआ। अगर समुक्त माप मध्य प्रदेश सरकार एक रुपये में देती है, तो बागूँ माने में राजस्थान देती है। यह कम्पीटीशन नहीं हुआ कि वहाँ रहने वालों के बच्चों की पढ़ाई का क्या इन्तजाम हो, दवा-दारू की क्या व्यवस्था हो, वहाँ की महिलाओं के लिये मैटर्निटी होम खोला जावे। राजस्थान गवर्नमेंट कहती है कि इस से हमारा क्या लेना देना है और अगर मध्य प्रदेश गवर्नमेंट कुछ करना चाहती है, तो वह स्थान उस का नहीं है। जब चम्बल योजना शुरू हुई, तभी यह हो जाना चाहिये था। हम बहुत पिछड़े हुए हैं और अगर आज हम को सुधारा जाता है, तो

हम सब लोगों की बड़ी भारी आनन्द होना चाहिये और आज आनन्द का दिन है कि इस बिल को इस सदन में रखा जा रहा है और मुझे आशा है कि तमाम माननीय सदस्य मिल कर इस का हृदय से स्वागत करेंगे और इस को पास करेंगे। यही मेरा निवेदन है।

श्री साहोबाला (इन्दौर) : : उपाध्यक्ष महोदय, जो बिल राज्य-मंत्री न. ने इस सदन के सामने रखा है, उस के द्वारा उन कठिनाइयों को दूर किया जा रहा है, जोकि वहाँ पर हो रही थीं। मेरा सम्बन्ध चम्बल बांध से काफ़ी रहा है। जब उस का काम शुरू हुआ था, तो मैं उस का संयोजक था। केन्द्र की हुकूमत ने कहा था कि जितना लोग इकट्ठा किया जायगा, उतना बन्ना लगान के लिये दिया जायगा और उस के बाद उस में इमदाद की जायेगी। करीब चार पांच करोड़ रुपया लोग पर इकट्ठा किया गया। सब में पहले यह स्कीम होकर स्टैंट की थी और उस का बजट छोट करोंड का था। उस के बाद मध्य भारत बना। जहाँ पर यह बांध बनाया जा रहा है, उस को नौली का दर कहते हैं। उस के मायने ये हैं कि चम्बल पहाड़ को काट कर उस में से निकली है, इसलिये वहाँ पर बहुत कम बजट के भीतर यह बांध बनाया जा सकता था। इस को ले कर यह बांध बनाने की स्कीम बनाई गई। मध्य भारत के बाद अभी मध्य प्रदेश बना। हम कई दफा वहाँ गये। जैसा अभी श्री रामसिंह भाई न बताय है, दरभस्न दो सीमा होने से वहाँ के लोगों को काफी कठिनाइयाँ होती हैं। जब राजस्थान के एरिया में कोई झगड़ा होता था, तो बेवू तहसील जाना पड़ता था, जोकि वहाँ के करीब सौ मील के फासले पर है जबकि मध्य प्रदेश की भानपुरा तहसील करीब बाइस मील पर है। मैंने गृह-मंत्री जी को पिछले दिनों कई दफा लिखा था और मुझ लुसी है कि यह बिल आज आया है, क्योंकि एक तरफ राजस्थान है और एक तरफ मध्य प्रदेश है और दो सीमाओं के बीच में यह काम चल रहा

[बी सादीवाला]

है। जहाँ तक बहा के लोगों की राय का संबंध है, उन्होंने कई बफा शिकायत की कि सीमा असंग्रह्य होने से हमें कई प्रकार की दिक्कतें होती हैं और इसी बात को ले कर यह बिल रखा गया है। आज में राजस्थान के चीफ मिनिस्टर और खास कर कासलीवाल जी को धन्यवाद देता हूँ, जो कि झालावाड़ कोटा से चुन कर आये हैं, जो कि उस एरिया में है। दोनों राज्यों ने जनता की भलाई, राजस्थान और मध्य प्रदेश की भलाई की दृष्टि में रख कर यह तय किया है और इस लिये यह बिल लाया गया है। मैं कहना चाहता हूँ कि इस में वाद-विवाद की बात नहीं है, क्योंकि जहाँ बहा भी ऐसी कठिनाइयाँ हैं, उन को दूर करने का प्रयत्न करना चाहिये। मैं तो कहना चाहता हूँ कि इस प्रकार की धीर भी कठिनाइयाँ हैं, जैसे मध्य प्रदेश के बीच में राजस्थान की सीमा है, या राजस्थान में मध्य प्रदेश की सीमा है। उन का परिवर्तन भी जल्दी में जल्दी होना चाहिये। इस तरह की सीमा और भी हैं। जिस तरह से राजस्थान गवर्नमेंट और मध्य प्रदेश गवर्नमेंट ने मिल कर इस मामले को तय किया है, उसी तरह वे दूसरे मामलों को भी तय करें। मैं प्रधान मंत्री से भी कहना चाहता हूँ कि जहाँ इस प्रकार की धीर भी कठिनाइयाँ हैं और जहाँ ऐसी सीमाएँ हैं, जिस के कारण काम में बाधा पड़ती है और लोगों को कठिनाइयों का सामना करना पड़ता है, काम की दृष्टि में और लोगों की सहूलियत की दृष्टि से जल्द से जल्द उन सीमाओं को, जो कि नये राज्यों के बीच में हैं, उन में मिला देना चाहिये। यह ज्यादा बुद्धिमानी की बात होगी। मैं ज्यादा समय न लेते हुए यही कहना चाहता हूँ कि इस बिल को हमें एक राय से पास करना चाहिये।

पॉइंट उपा० प्र० ज्योतिर्बा (सागर) :
उपाध्यक्ष महोदय, जो बिल इस सदन के सम्मुख है, मैं उस का समर्थन करने के लिये

खड़ा हुआ हूँ। इस बिल पर चर्चा के दौरान में एक मित्र ने एक संकेत किया कि बहा की जनता की राय जान लेनी चाहिये थी। मुझे यह बात सुन कर बहुत दुःख हुआ। मैं इस देश में एक ऐसे वातावरण का निर्माण चाहता हूँ, जिस में कि हम इन छोटे छोटे झगड़ों को कि यह जमीन इस प्रदेश से मिले, या उस प्रदेश से मिले, हमारी यह सत्कृति है, हमारी यह सत्कृति है, हमारी यह भाषा है, हमारी यह भाषा है, हम आपस में तय करना सीखें। मुझे इस बात की खुशी है कि मध्य प्रदेश और राजस्थान की सरकारों ने धन्य धन्य अपने मदन में बैठ कर इस प्रस्ताव को पास कर के इस देश में एक नये वातावरण का निर्माण किया है। हम छोटे छोटे झगड़ों को आपस में बड़ी सूत्रसूत्री में तय करें, इस की उन्होंने न देश के सामने एक बड़ी अच्छी नज़ीर रखी है। अमुक चप्पा राजस्थान का है, या मध्य प्रदेश का है, या वह स्थान राजस्थान में मध्य प्रदेश में आ रहा है इस तरह की भावना जल्द से जल्द इस देश में लुप्त हो, यह बहुत जरूरी है। मुझे विश्वास है कि इस धारा या उस धारा के माफिक चीज होना चाहिये थी ऐसी नहीं हुई, वैसी नहीं हुई यह प्रश्न विधानवादियों के लिये हो सकता है, लेकिन मैं तो हृदयवादी हूँ और मैं समझता हूँ कि एक अच्छे हृदय की भावनाओं का निर्माण इस प्रस्ताव के द्वारा प्रांतीय सरकारों ने किया है और हम वही आदर्श इस सदन में यह बिल पास कर के देश के सामने रख रहे हैं।

जैसा कि अभी और भाइयों ने बताया है, धम्बस में विशाल बाघ बन रहा है उन के निर्माण में कई दिक्कतें आ रही थीं। उन को दूर करने के लिये यह बिल एक मजबूत कदम है। हमारी मध्य प्रदेश सरकार काफ़ी धरसे से यह अड़गल महसूस कर रही थी, उसे दूर करने में इतना बलिदान हुआ। लेकिन देर आखिर दुस्त आयब। यह एक अच्छा कदम उठा है और मैं सरकार को इस के निवेद बधाई

देता हू। नवजात मध्य प्रदेश जोकि तीन बरस पहले पैदा हुआ था, एक छोटे बच्चे की भाँति है। उस में चीखने फिलाने की भी शक्ति नहीं है। उस में वह ताकत नहीं है कि अगर वह बूझा भी है, तो अपनी भाषाओं और से रो कर केन्द्रीय सरकार रूपी मा के कानों तक पहुँचाये। लेकिन इस बार यह भाषाओं पहुँची और एक प्रान्त के निर्माण की दिशा में, एक इंडस्ट्रिय-साइज्ड प्रान्त के निर्माण की दिशा में हमारी दिक्कत को दूर करने में इस बिल के द्वारा केन्द्र मदद कर रहा है, इस के लिये मैं गृह-मंत्री को धन्यवाद देता हू।

काश, केन्द्रीय सरकार हमारी इस तरह की दिक्कतों को और ज्यादा समझे सजग दृष्टि से देखे। कोई नया प्रान्त जब निर्मित होता है, तो उस की बहुत सी आवश्यकताएँ होती हैं। मध्य प्रदेश एक विशाल, अनेक सम्माननाभा से युक्त, बड़ा भागी प्रदेश बन रहा है।

उपाध्यक्ष महोदय : अभी वह बच्चा था। अब वह इतना बड़ा भी हो गया।

पंडित ज्वा० प्र० ज्योतिषी लम्बाई चौड़ाई में बड़ा है। वह बड़ा पुष्ट बच्चा है। मेरा मतलब यही था कि उध उस की अभी खीन ही बच की है, लेकिन उस की हड्डियाँ स्टील की बनी हुई हैं, उसकी धमनियों में बड़ा प्रवाह है लेकिन उस को मजबूत बनाने के लिये केन्द्र द्वारा जिस सहायता की अपेक्षा है वह सहायता हम को अधिक तेजी के साथ मिलनी चाहिये। इस अवसर पर मैं यह निवेदन करना चाहूँगा कि हमारी राजधानी के निर्माण की दिशा में शासन की सहायता की अधिक आवश्यकता है।

उपाध्यक्ष महोदय : यह सब चीजें अभी आप माँव लेंगे ?

पंडित ज्वा० प्र० ज्योतिषी : जी नहीं, मैं समाप्त कर रहा हू। वह एक अवसर है जब केन्द्रीय सरकार ने जोड़ा हमारी बातों की ओर

ध्यान दिया है। इस अवसर का लाभ उठाते हुए मैं यह निवेदन करना चाहता हूँ कि अगर इसी तरीके से हमारी आवश्यकताओं की तरफ ध्यान दिया गया, हमारा जो बच्चा प्रदेश है उस की तरफ ध्यान दिया गया तो वह एक मजबूत और बलशाली प्रदेश अधिक गति के और पोढ़े समय में बन सकता है। अगर वक्त पर बच्चे की ठीक तरह से परवरिश नहीं की जाती है, उस की अपेक्षितग ठीक नहीं होती है तो वह बिगड़ जाता है, बेगाबान्ड हो जाता है। मैं इस की ओर शासन का ध्यान आकर्षित करना चाहता हू।

श्री राधे लाल शर्मा (उज्जैन) : उपाध्यक्ष महोदय, मैं इस विधेयक का स्वागत करता हू। मैं उन बातों में जा कर के सदन का समय नहीं लेना चाहता था जिन दिक्कतों की वजह से यह विधेयक यहाँ पर उपस्थित हुआ। उन दिक्कतों को काफी विस्मरण के साथ श्री राममिह भाई जी ने सदन के सामने रख दिया है। लेकिन इस विधेयक को ले कर कुछ माननीय मित्रों ने जो बातें कही हैं उन को मूल कर मुझ कुछ आश्चर्य हुआ, और उसी के सम्बन्ध में मैं कुछ निवेदन करने के लिये उपस्थित हुआ हू।

मेरा मित्र श्री दीलना न जो हरियाणा प्रान्त की बात उठा कर के एक सैद्धान्तिक बात रखनी चाहती कि जब कभी किसी राज्य का एक हिस्सा दूसरे राज्य में मिलाया जाय तो जब तक आर्गबिटेशन न हो, कमिशन न बैठे, तब तक ऐसा नहीं होना चाहिये। मैं नहीं समझता कि यह उमूल यहाँ-क्यों लाया गया है। मध्य प्रदेश राज्य सरकार और राजस्थान राज्य सरकार तथा बहा की धारा सभाओं ने सर्वसम्मति से जो निर्णय कर दिये हैं कि प्रमुख प्रमुख राजस्थान के आग मध्य प्रदेश को मिलने चाहिये, उस में आर्गबिटेशन या कमिशन की बात कहाँ पैदा होती है जहाँ पर झगडा होता है, जहाँ पर दो राज्य मिल कर किसी बात

[श्री राधे लाल व्यास]

को तय न कर सकें, वहाँ तो धारविदेशन या कमिशन की बात समझ में आ सकती है। लेकिन यहाँ पर दोनों राजी हैं, और वाजिब बात है, ऐसा होना चाहिये, तो मैं पूछना चाहूँगा कि इस के लिये क्यों कमिशन भूकरें कर के या धारविदेशन कर के फैसला किया जाय या उस के जरिये यह कार्रवाई की जाय? यह चीज मेरी समझ में नहीं आती है। अगर यह समझते हैं कि यह प्रोसीजर हरियाना प्रान्त बनाने के लिये लागू किया जाय तो दिल्ली, पंजाब, राजस्थान और जिन जिन क्षेत्रों से हरियाना प्रान्त बन सकता है

उपाध्यक्ष महोदय स्पीकर साहब ने अभी मना किया था, अब उस का हवाला दे कर आप फिर यहाँ पर उसे लाना चाहते हैं?

श्री राधे लाल व्यास मैं उस को छोड़ता हूँ। जिस वक्त सर्वसम्मति में निर्णय होगा वह बन जायेगा नहीं तो नहीं बन सकता है। मेरे मित्र श्री कासलीवाल जी ने कहा कि राजस्थान का कानून उम क्षेत्र को जो कि मध्य प्रदेश को जा रहा है क्यों न लागू किया जाय? और अभी नक़्क़ा जब कभी किसी राज्य का एक भाग दूसरे राज्य को गया है तो वहाँ जो व्यवस्था की गई है, उसे इस में डिपार्चर क्यों किया गया? एक नई व्यवस्था की गई कानून में, यह ऐतराज उठाया। मैं समझता हूँ कि अगर मेरे मित्र श्री कासलीवाल जी जो क्षेत्र जा रहा है उस की ओर देखते तो शायद बहुत प्रामाणी से उन की समझ में यह चीज आ जायेगी कि वाकई मैं दूसरे राज्यो में जो क्षेत्र धर से उधर गये हैं, हस्तांतरित हुए हैं उन में और मध्य प्रदेश और राजस्थान में जो हस्तांतरण हो रहा है उम में बहुत फर्क है। यदि आप विधेयक के फर्स्ट शेड्यूल को देखते तो उस में जो खसारा नम्बर दिये हुए हैं उन में से किसी का क्षेत्रफल १२४ बीघा है, किसी का २१६ बीघा है, किसी का १४ बीघा है, किसी का २०० बीघा है। यह जो

लेनफल है वह वाकई में नहीं की बेट नहीं सतह है। वहाँ से नहीं निकली है। वहाँ कोई धाबादी पहले से नहीं थी। जिस समय डैम बनना शुरू हुआ उस के पहले राजस्थान का कोई गांव वहाँ शुरू हुआ तो भी कोई बात थी, लेकिन वहाँ कोई धाबादी नहीं थी राजस्थान की। वहाँ धाबादी बढ़ती है उस समय से जब मध्य भारत ने उस डैम को बना ना शुरू किया और उन्होंने ने अपनी एक साइट काबज की। अपने काम करने वाले कारकुनों और इंजीनियर्स को वहाँ भेजा गया या अपना सामान वहाँ रखने की व्यवस्था की। वह साइट वहाँ डेवेलप हो गई। यह जरूर है कि जब पहले वहाँ टेरिटोरियल अयूरिस्टिकल राजस्थान सरकार का था इसलिये उस की एक पार्लियामेन्टरी कांस्टिट्यून्सी जरूर थी और वे लोग मेरे मित्र के बॉटर थे। लेकिन वास्तविकता यह है कि वहाँ जो लोग जा कर बसे थे वे मध्य भारत के ही थे। वहाँ जितने भी भ्रष्टाचार थे वे मध्य भारत के ही कानून जानते थे। उन को कभी कभी बड़ी दिक्कत होती थी क्योंकि वहाँ के बसने वाले उधर का कानून नहीं जानते थे। उन को राजस्थान के कानून की वाकफियत नहीं थी और कोई बात हो जाती थी तो राजस्थान का ही कानून लागू होता था। इसलिये उचित था कि जो लोग जिस कानून से वाकिफ हो, उसे उन पर लागू होना चाहिये। वास्तव में यही इस बिल में किया गया है। उन लोगों पर राजस्थान का कानून लागू करने की व्यवस्था इस में नहीं की गई है।

मेरे एक मित्र श्री आचार ने यह ऐतराज किया था कि वहाँ के लोगों का क्या होगा? यह ठीक है कि मध्य भारत और राजस्थान की असम्बलित और सरकार दोनों राजी हो गई लेकिन वहाँ के लोगों से पूछा गया था नहीं। शायद उन को पता नहीं कि वहाँ जो लोग थे वह राजस्थान के नहीं थे जो उन से आ कर पूछा जाय कि हम तुम को तुम्हारे

वहाँ से बाहर भेज रहे हैं, और तुम्हारी क्या राय है : इस में क्या सम्बन्ध हो सकता है कि वहाँ बसने वाली प्रजा क्या बसेगी । मध्य भारत सरकार ने अपने लोगों को पैसा दिया ताकि वे वहाँ पर जा कर काम करें । वैसे वहाँ बसने के कारण वे प्रजा राजस्थान सरकार की जरूरत हो जाती है लेकिन वाकई में मूल रूप से वहाँ रहते हों ऐसे कोई लोग नहीं वे इसलिये वहाँ के लोगों से पूछने का कोई सबान ही नहीं था । वहाँ के लोगों को यह दिक्कतें थीं, जैसा रामसिंह भाई ने बतलाया । इसलिये जो ऐतराज किये गये हैं या आपत्ति की गई है, उस में कोई सार नहीं है और इस विधेयक में जो व्यवस्था की गई है वह बिल्कुल ठीक है । मैं इस विधेयक का स्वागत करता हूँ ।

अभी भी कुछ ऐसी जगहें हैं, जैसा कि बाबाबाबा जी ने बतलाया, जहाँ पर एक ही जगह का कुछ हिस्सा एक राज्य में पड़ जाता है और दूसरा हिस्सा दूसरे राज्य में पड़ जाता है । भवानी मंडी एक स्टेशन है कोटा और रतलाम के बीच में । जब गाड़ी खड़ी रहती है तो उसका भाषा हिस्सा राजस्थान में और भाषा हिस्सा मध्य प्रदेश में पड़ता है । भाषा भी यही व्यवस्था है और इस की वजह से वहाँ स्मॉलिंग खूब चलती है । लोग कहते हैं कि चूकि इधर सेन्स टैक्स कम है इस लिये इधर ले लो । इस तरह से इधर से उधर चीजें जाती जाती रहती है । एक गांव में एक नदी है जिस का एक हिस्सा राजस्थान में है और दूसरा हिस्सा मध्य प्रदेश में है । भाषा भी यह चीज चलती है । मैं समझता हूँ कि केन्द्रीय सरकार को इस धोर ध्यान देना चाहिये । भले ही कोई जगह मध्य प्रदेश में चली जाय या राजस्थान में चली जाय लेकिन कम से कम इस तरह की जगह तो नहीं रहनी चाहिये । हमारे मध्य प्रदेश की सरकार और राजस्थान की सरकार को भी इस तरह ध्यान देना चाहिये । वे ऐसे हिस्सों की आपस में बिल कर, बाँट कर के बदला बदली कर दें, इधर कर दें या उधर कर दें, जिससे

लोगों को कानून को तोड़ने का, उस की व्यवस्था करने का मौका न मिले, और जर्म का अवसर कम रहे ।

श्री बाबाबाबा : श्रीमता जी है ।

श्री. राधे लाल शर्मा : श्रीमता तो नहीं लेकिन भवानीमंडी स्टेशन है । भवानी मंडी का भाषा हिस्सा इधर है और भाषा हिस्सा उधर है ।

एक माननीय सदस्य : मध्य प्रदेश बीच में है ।

श्री. राधे लाल शर्मा : बीच में सही लेकिन पूरा राजस्थान में है । मैं ने तो मिसाल ऐसी दी है कि भाषा गांव इधर है और भाषा गांव उधर है ।

इन शब्दों के साथ मैं इन चीजों को छोड़ता हूँ और हाउस से अपील करता हूँ कि वह इस बिल को सीधे से सीधे स्वीकार कर ले ।

श्री बांगड़े (विलामपुर) : उपाध्यक्ष महोदय, यह जो विधेयक राजस्थान और मध्य प्रदेश असेम्बलियों के संकल्प के अनुसार या उन की मंशा के अनुसार यहां लाया गया, है मैं उसका स्वागत करता हूँ । हमारे कुछ सदस्यों ने एक यह प्रश्न उठाया, एक मौलिक आशेष उठाया कि किसी भी स्थल की जनता की संस्कृति, भाषा और उन की राय का जान लेना आवश्यक है

मैं नहीं समझता कि सीमावर्ती स्थानों में १, २ मील के अन्दर या भाषा फ्लॉग के अन्दर किसी की संस्कृति, भाषा या राय में कोई विशेष अन्तर पड़ता है और इस प्रकार से केवल ३००० या ४००० एकड़ के बीच में रहने वाले लोगों की संस्कृति में कोई कास अन्तर नहीं पड़ता, और इस प्रकार की मौलिक मान्यता उठाना, या मौलिक मतभेद उठाना कि उनकी संस्कृति और भाषा मैं अन्तर पड़ता है और उनकी राय के बिना

[श्री जांगड़े]

उन्हें मिलाया जाना, इस पर मैं आक्षेप उठाता हूँ और इस प्रकार से यहां पर आबजैक्संस उठाना और यहां पर उस की आलोचना करना मुझे उचित नहीं जंचता। हम इस से बड़े पैमाने पर काम करते हैं जहां पर कि करोड़ों लोगों को फायदा पहुंचने वाला है। करोड़ों रुपयों का फायदा दोनों प्रदेशों को मिलने वाला है। ऐसा स्थान जो एक दूसरे के सीमा-वर्ती लगा हुआ हो, एक फर्लांग के अन्तर्गत हो तो ऐसे स्थान पर संस्कृति और भाषा की यह दरार खड़ी करनी मुझे अच्छा नहीं जचता और ऐसी दीवारें खड़ा करना ही हमारे प्रादेशिक एकता और देश के राष्ट्रीय भविष्य को आंच पहुंचाती है और एक दूसरे का जो मन मला हुआ होता है उस में मलिनता पैदा होती है। हमें इस प्रकार की भावना नहीं उठानी चाहिये।

इस सम्बन्ध में मैं जरा विषय से परे हटकर निवेदन करना चाहूंगा। मैं माताटीला डैम के बारे में कहना चाहता हूँ। मध्य प्रदेश और उत्तर प्रदेश दोनों के केन्द्रीय जोन में शामिल हैं और आपने सुना ही होगा कि माताटीला बांध के सम्बन्ध में उत्तर प्रदेश और मध्य प्रदेश का झगड़ा बहुत दिनों से चला आ रहा है। उस का फंसला अभी तक नहीं हुआ है। दोनों एक दूसरे से मिलने की कोशिश कर रहे हैं। ईश्वर करे दोनों का समझौता उसी प्रकार हो जाये जिस प्रकार की राजस्थान और मध्य प्रदेश का चम्बल बांध के सम्बन्ध में हो गया। उसी प्रकार से माताटीला और रिहैन्ड बांध के बारे में उत्तर प्रदेश और मध्य प्रदेश में एक समझौता हो जाये।

आप को पता तो होगा और बहुतेरे सदस्यों को भी यह ज्ञात होगा कि जब दिल्ली से बीना की ओर जाओ तो रास्ते में बीच में ललितपुर स्टेशन पड़ता है। ललितपुर एक ऐसा क्षेत्र है जिस की कि जनसंख्या ३ लाख है और जो कि उत्तर प्रदेश का सब से

पिछड़ा इलाका है और जिस ओर कि उत्तर प्रदेश के शासन का ध्यान नहीं जाता है। जब प्रान्तों का पुनर्गठन हुआ, प्रदेशों का पुनर्गठन हुआ उस समय ललितपुर की तमाम जनता ने यह कामना की थी कि उन के ललितपुर क्षेत्र को मध्य प्रदेश में मिला दिया जाये। चूंकि इस वर्तमान अवसर पर मुझे कुछ निवेदन करने का मौका मिला है इसलिये मैं आप की आज्ञा से थोड़ा विषय से हट कर निवेदन करना चाहूंगा और आशा है कि आप मुझे इस के लिये क्षमा करेंगे।

14 hrs.

उपाध्यक्ष महोदय : मेरी तरफ से इकरार नहीं है। मैं देखूंगा कि माननीय सदस्य विषय से कितना परे जाते हैं और अगर उन को कहीं पर रोकना मुझे आवश्यक जान पड़ा तो रोक दूंगा।

श्री जांगड़े : ललितपुर की जनता मध्य प्रदेश में मिलना चाहती है। वहां की भाषा वहां के रस्म व रिवाज और अन्य सुविधाओं को दृष्टि में रखते हुए उन का मध्य प्रदेश में मिलना हितकर है। उत्तर प्रदेश की जनसंख्या साढ़े ६ करोड़ है और यदि ३ लाख की जनसंख्या वाला क्षेत्र मध्य प्रदेश में शामिल हो जाता है तो मैं समझता हूँ कि इस में उत्तर प्रदेश को कोई ऐतराज नहीं होना चाहिये। अगर यह ललितपुर और झांसी वाला इलाका मध्य प्रदेश में मिला दिया जाता है तो माताटीला के सम्बन्ध में जो झगड़ा उत्तर प्रदेश और मध्य प्रदेश में चल रहा है वह झगड़ा सब दिन के लिये टल जायेगा। मैं इस बात की आकांक्षा करूंगा कि हमारे गृह मंत्री महोदय अपनी गुडविल, अपने अच्छे व्यवहार और अपनी शुभकामना का असर उत्तर प्रदेश सरकार पर भी डालें ताकि ललितपुर का इलाका मध्य प्रदेश में शामिल हो जाये।

आप को शायद पता होगा कि रिहान्द डैम में हमारे मध्य प्रदेश के २२ गांव डूबे हुए हैं, जमीन तो डबी है मध्य प्रदेश की लेकिन उस से फायदा पहुंचता है उत्तर प्रदेश को। हम यह नहीं चाहते कि उत्तर प्रदेश को उस का फायदा न पहुंचे। उस का फायदा उत्तर प्रदेश को पहुंचे मगर इस का समझौता एक दूसरे को देखते हुए होना चाहिये ताकि किसी प्रदेश के मन में मालिन्य पैदा न हो और समझौते से हम आपस में तस्फिया कर लें.

उपाध्यक्ष महोदय : अब माननीय सदस्य जल्दी ही खत्म करें, नहीं तो उत्तर प्रदेश के अगर कोई माननीय सदस्य हाउस में आ गये तो वे इस की मुखालिफत करना शुरू कर देंगे।

श्री जांगड़े : मैं खत्म ही कर रहा था।

उपाध्यक्ष महोदय : जी हां जल्दी से खत्म कर लीजिये क्योंकि यह आप के लिये सौभाग्य की बात है कि इस वक्त उत्तर प्रदेश के कोई माननीय सदस्य उपस्थित नहीं हैं।

श्री जांगड़े : मैं इस सदन से और शासन से प्रार्थना करूंगा कि वह इस पर ध्यान दे। ललितपुर का क्षेत्र अगर मध्य प्रदेश को दे दिया जाय तो उपयुक्त ही होगा।

आपने कहा कि मध्य प्रदेश तो एक बड़ा भारी प्रदेश है और हाथी के समान है, उस को बच्चा क्यों कहा जा रहा है। इसके लिये मेरा कहना यह है कि हाथी एक बड़ा जानवर होता है लेकिन उसका जो बच्चा होता है वह बच्चा ही कहलायेगा। मध्य प्रदेश आकार में जरूर बड़ा है लेकिन उस हाथी के बच्चे को पुष्ट करना बहुत जरूरी है और इसलिये पुष्टिकरण के लिये ललितपुर का इलाका मध्य प्रदेश में मिलाया जाना में आवश्यक समझता हूं।

Shri Datar: Mr. Deputy-Speaker, I am obliged to the hon. Members who all supported the principles of this Bill. Though there were certain points, they were all unanimous that this Bill has been introduced none too soon. I should like to make it clear certain misapprehensions which have been voiced by some hon. Members.

This is a Bill not of the type or the analogy of the States Reorganisation Act. That matter should be understood very clearly. This is not a Bill for the purpose of transferring certain areas from one State to the other on certain accepted principles which were discussed at great length when the States Reorganisation Bill was on the anvil before this House. The purpose is extremely limited. The purpose is to have facility of administration. When, for example, the Chambal project was taken up for implementation, it was considered that they might first try the question of maintaining the administrations as they were and Rajasthan Government promised to give all help and facilities to the Madhya Pradesh Government. That is how the arrangement came into effect. Then, as the project was being implemented, a number of people naturally had to be brought there with all the facilities for the purpose of giving effect to this great project. A number of problems arose. Therefore, it was considered that the better course would be and a more advisable course would be to have the area under one administration.

My hon. friend Shri Achar raised certain questions about the wishes of the people. May I point out here, that in the first place, so far as this particular area is concerned, it is a forest area? It comprises not the villages together; it comprises only certain areas within the limits of three villages. They are forest areas. Under these circumstances, the question of taking into account the wishes or desires of the people does not arise at all.

[Shri Datta.]

Assuming that it arises indirectly, may I point out to this hon. House that under the Constitution, even when the smallest territory has to be transferred from one State to the other, we have to take into account the opinion as expressed by the legislatures concerned? That is the reason why I am referring to the Resolutions passed by the two legislatures. May I read these two Resolutions here for the purpose of pointing out whether proper expression has or has not been given by the legislatures because, the House will understand that there were M.L.A.s just as we have an hon. Member, my hon. friend Shri Kasliwal, some of whose area is likely to go to Madhya Pradesh? May I say in a lighter vein, I sympathise with him? So far as this question is concerned, the larger area has to be taken into account. When this matter was before the two legislatures, there was a fairly long discussion and after discussion, both the legislatures in Madhya Pradesh and Rajasthan passed Resolutions in terms approving the principles of this Bill. In Madhya Pradesh on February 26, 1959, this Resolution was passed:

"This House approves of the provisions contained in the draft Rajasthan and Madhya Pradesh (Transfer of Territories) Bill and recommends its introduction in Parliament."

This is an indication of approval by the popular Assembly of Madhya Pradesh. They naturally represented this area as well. Then, this Resolution was passed on May 5th, 1959 in the Legislative Assembly of the State of Rajasthan:

"This House generally agrees with the principle and proposal of the transfer of certain territories comprised within the villages Dotada, Pipalda and Barkheda in Bhonsroga tahsil of Chittor district in the State of Rajasthan to

the State of Madhya Pradesh as envisaged in the Rajasthan and Madhya Pradesh (Transfer of Territories) Bill, 1959, proposed to be introduced in Parliament."

So, it is against the background of the acceptance of the principles of this Bill by the two legislatures that this Bill has been brought forward in this House. Under these circumstances, it should not be supposed, as an hon. Member opposite said, that it was merely a particular party Government ruling either at the Centre or in the States that has been carrying on all these things. We had the clearly expressed views of the legislatures—not merely of the Governments—in both the States. Therefore, may I point out that these Resolutions have the backing of the people of these States including the areas to be transferred from one State and to be included in the other? Under these circumstances, I should like to state that we need not take into account or bring in larger considerations that weighed with the House when the States Reorganisation Bill was under consideration.

Certain other matters were referred to. My hon. friend Shri Kasliwal made a reference to some departure, according to him, from the provisions in the States Reorganisation Act. I have looked into both the sections, 108 and 109. May I point out that at that time when the Reorganisation was to take place, very large and wide areas had to be transferred from one State to another? That is the reason why a certain principle was followed and that principle envisaged the continuance of certain laws, etc. In this case, what is happening is, the area is extremely small. It is forest area. For the purpose of facility of administration it was considered that clause 11, as it is, should be put in this Bill. May I, in this connection, again remind the House that after the transfer of this area on the appointed date to Madhya Pradesh, it will form part of

Bhanpura pargana of Mandseur district in the State of Madhya Pradesh? Under these circumstances, when the area has to be transferred to and is going to form part of a particular pargana of a particular district, is it or is it not advisable that the laws or rules that were to be applied in the small patch of land should be the same as the one governing the rest of this particular district which is going to take this new area added on to it? My hon. friend has pointed out how this particular area is on the banks of the river and therefore, the sooner the same laws apply and uniformity of administration is there, the better it is for proper administration.

Lastly, it was contended why when all the facilities were being offered before, this formal transfer was necessary at all. May I point out in this connection that often-times new townships arises, and new influences come, right or wrong, and sometimes, harmful also? And, as one hon. Member has pointed out, even today, some attempts are being made to have a *hartal* and to have a demonstration over causes which are absolutely far from legitimate. Under these circumstances, the question of law and order has to be taken into account; the question of expeditious and efficient administration has to be taken into account. Therefore, it is essential that all this area ought to be included within the Madhya Pradesh State where it is possible to bring to bear on the situation immediate need, whether it might be need of one particular type or need of another particular type. That is the reason why both the Governments had before them this particular object in view.

The first object was that this great scheme was one of the major projects that India was going to have. May I point out in this connection how much money is going to be spent on this? Rs. 63-50 crores or so are going to be spent over the three stages. We are still in the first stage. Therefore, it is a very ambitious scheme. It is likely to help the Grow-More-Food

Campaign to the largest extent possible; and it is quite certain that all the areas that are likely to be served by the irrigation that will be possible from this project will be turned almost into the finest and most fertile lands. So, the first object, as I have stated already, is to facilitate the immediate and efficient implementation of this great scheme.

Secondly, we have also to see that the administrative problems are decided and solved immediately, and that can be done only if they are in the same State or the same area. Public opinion has also been taken into account. Public opinion was considered in the State Assemblies; and here also, my hon. friend Shri Kasliwal agrees that the Bill is of such a nature that he can give his approval to it. Under these circumstances....

Shri Kasliwal: I never said 'approval'. I said I did not oppose it.

Shri Datar: All right; let my hon. friend put it in the negative way which is far from graceful. I have no objection; let him put it that way.

But if all these things are taken into account, and if we do not go into the various other bigger questions that were before the House when the States Reorganisation Bill was passed, we shall find that this Bill has been introduced at a very proper time and will achieve the objects that it has in view.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the transfer of certain territories from the State of Rajasthan to the State of Madhya Pradesh and for matters connected therewith be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the Bill clause by clause. There are no amendments to any of the clauses or schedules. So, I shall put all the clauses and schedules together to vote.

[Mr. Deputy-Speaker]

The question is:

"That clauses 2 to 17, the First Schedule, the Second Schedule, clause 1, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 2 to 17, the First Schedule, the Second Schedule, clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Datar: I beg to move:

"That the Bill be passed"

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

14.15 hrs.

STATE BANK OF INDIA (AMENDMENT) BILL

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to move:

"That the Bill further to amend the State Bank of India, 1955, as reported by the Joint Committee, be taken into consideration".

The Joint Committee had four sittings. No memorandum was received on the Bill, because this is more or less a non-controversial Bill. Only one change has been made in clause 6, and that too in a clarificatory manner. Therefore, there is not much change except that a small amendment has been made in clause 6.

I may recall for the benefit of the House that this Bill only enables legal or technical advisers to be members of various boards. It also enables the establishment of superannuation or pensionary funds for the benefit of the employees. Thirdly, it lays down a simplified procedure for taking over

other banks under section 35. Fourthly, the contributions from the Reserve Bank from out of the Integration and Development Fund would not be treated as profits for income-tax purposes. These are the main purposes of this Bill.

The Joint Committee also went into the question, and they had four sittings. As I said, no memorandum was presented to the Joint Committee. There, I want

Mr. Deputy-Speaker: There is a minute of dissent.

Dr. B. Gopala Reddi: Of course, there will be a minute of dissent for every Bill. Sir, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the State Bank of India Act, 1955, as reported by the Joint Committee, be taken into consideration".

Shri Naushir Bharucha (East Khadesh): I am not quite satisfied that the Joint Committee have done their work well. It would be recalled that one of the major purposes of the Bill was to amend section 35 which prescribes the procedure for taking over the business of any bank. If you see the original Act, the steps enumerated therein for taking over the business are as follows. First, the terms have to be approved by the Central Board and the director of the bank to be taken over. The second step is the sanction of the Central Government. The third step is that the arrangement should be binding on all, including the shareholders and the creditors. The fourth step is payment of consideration in cash or allotment of State Bank shares. The fifth step is that the business should be carried on by the State Bank subject to certain adjustments.

So far as the new procedure is concerned, I do not know how they have shortened it, and I do not understand why the Joint Committee did not suggest some method or device whereby the procedure could have been really shortened. As the amended clause would stand, it provides as follows. First, the terms have to be approved. Then, there will be the sanction of the Government, or what is put down in the Bill as the order of sanction. The third step will be prescribing of a date, which, for the sake of convenience, I shall call 'the vesting date'. Then, there is a further clause for extension of that vesting date. Then, the arrangement is to be binding on shareholders. Then, there will be the actual transfer of ownership of the assets to the State Bank on the date when the vesting order actually takes effect. Then, payment of compensation comes; then, the power to increase the issued or authorised capital comes; and the bank is empowered to carry on the business of the acquired undertaking; then, there is the appointment of a receiver, and the winding-up procedure comes in; then, there is the Central Government's power to issue certain directions and there are procedural clauses ousting the jurisdiction of courts.

Now, what are the defects which, I regret, the Joint Committee has not looked into? In the first place, there is a sort of interregnum, a gap, between the date of the order of sanction and the date of vesting. Now, let me take a concrete illustration. Suppose the State Bank decides to take over the affairs of bank X. Assume for a moment that by the end of the year 1958 the terms have been agreed upon between the State Bank and the directorate of bank X. Assume also that on 1st January 1959 the Central Government passed the sanction order. In that order, they prescribed the vesting date, as I call it, as the 1st of March. Suppose it is extended to 1st of April. So the ownership of the assets of bank X is transferred to the State Bank on 1st April, 1959. Now, there is a gap

between 1st January, the date of the sanction order, and 1st April when actually the assets have vested in the State Bank. Compensation is to be provided in cash or in shares of the State Bank. The compensation would be on the basis of some valuation. That valuation must be as of a particular date. Will it be as of 1st January 1959, the date of the sanction order, or the date of the vesting order or would it be on the date when actually the assets are transferred. If a difference of two or three months exists, it is obvious that the prices of securities would move up and down. As soon as it is announced that the affairs of a particular bank are to be taken over, probably the shares of the bank would collapse on the market.

Therefore, there is no criterion or guiding principle as to how compensation is to be calculated with reference to a particular date. This is a big lacuna, and I am afraid the Joint Committee have not paid attention to it. As a result, there will be difficulty arising at the time of paying compensation or even making valuation for the purpose of compensation.

So far as the other principles are concerned, we certainly welcome this Bill, because there would be numerous occasions when the affairs of banks are run in such a manner that they have to be taken over, or for the purpose of administrative convenience or otherwise they have to be taken over by the State Bank.

I therefore submit that these aspects should have been carefully looked into. If the hon. Minister in charge of the Bill has got any reply to the defects which I have pointed out in the new section which, to my mind, the Joint Committee have not properly gone into, I would like to be enlightened.

Shri P. K. Das (Kalahandi): Even though this Bill envisages some minor amendments, I cannot reconcile myself to some of them.

[Shri P K Deo]

The first relates to clause 6 of the Bill. There is a simplified procedure regarding acquisition of business of different banks envisaged. This is an amendment suggested to section 35 of the State Bank of India Act. I cannot appreciate how in the process of simplification so much of authority could be delegated to Government as to say that Government's directions and decisions will supersede statutory provisions. This contravenes the concept of law and all canons of jurisprudence.

I would draw your attention to sub-section (8) of the proposed section 35. This is the most objectionable sub-section. It may happen that the employees may be so circumstanced as to accept inferior and unsatisfactory terms and conditions of service, because acquisition of business of different banks will take place mostly on negotiation between the State Bank and the directors of those banks and the employees will not have any say in the matter.

In this connection, I would like to invite attention to the conditions of service of the employees of the former Indian States which merged with the rest of India. Even though more than ten years have passed, their seniority, gradation, pension, provident fund conditions and various other terms and conditions of service have not been settled. It is very difficult for a person at the fag-end of his career to have fresh negotiation or to seek a fresh job. He would be compelled under circumstances to accept the terms of service which would be offered to him by the State Bank of India, as in this case, who would be taking over the business of the bank. Banking is a skilled and specialised job and employment opportunities are much more limited therein. So the employee has absolutely no bargaining power. He has to accept whatever is offered to him.

Under the circumstances, I feel that it is the duty of this august

House to guarantee at least that no inferior terms and conditions of service than those enjoyed by them would be offered to the employees of the different banks by the State Bank when it contemplates taking over the management of those banks.

Secondly, when these employees would be doing the same duties as the employees of the State Bank, their terms and conditions of service should not be in any way inferior to those enjoyed by the other employees of the State Bank.

Then again, regarding continuity of service, for calculation of provident fund, pension, gratuity etc., their past service should be taken into account and duly considered. So I do not agree to the retention of sub-section (8) in the proposed section 35.

If you go through the Notes on Clauses to the Bill as introduced, you will find on page 9

"The provisions of section 25F and 25FF of the Industrial Disputes Act 1947, in regard to retrenchment compensation which are intended to be applicable in a case in which there is a substantial break in the continuity of employment or a reduction in emoluments or other benefits, will not be applied, in the case of employees whose services are transferred with their consent to the State Bank, on the merger of the institution in which they were previously employed."

'Their consent' is a very difficult term, because they may be forced under circumstances to give their consent, to accept those various jobs because they have no other go.

Under these circumstances, I feel that this august House should make adequate provision for safeguarding the interests of the employees of the banks which are taken over by the State Bank.

बी० रमवीर सिंह: (रोहतास): उपाध्यक्ष महोदय, मैं सैंसेट कमेटी की रिपोर्ट का समर्थन करने के लिये खड़ा हुआ हूँ।

श्री भरूचा ने धनी एतराज किया कि उन्हें यह कमी मालूम होती है कि उस के अन्दर कोई तारीख मुकर्रर नहीं की कि किस तारीख को शेयर्स की मार्केट वैल्यू कम्पेन्सेशन देते हुए ध्यान में रखी जायेगी। अब आप जानते हैं कि इस देश के अन्दर काफी जमीन है और किसी न किसी बहाने से, देश के फायदे के नाम पर या समाज के फायदे के नाम पर सरकार लेती रही है और उस का जो कम्पेन्सेशन देने का तरीका था उस का भी एक तरीका मुकर्रर किया और मार्केट रेट वह नहीं जो उस रोज की मार्केट रेट है, वह रेट नहीं बल्कि दस साल के अन्दर पिछले दस साल के अन्दर जो एक एवरेज बनता है उस का दूना मुकर्रर हुआ। भरूचा साहब चाहते हैं कि सरकार के हाथ बाध दिये जायें और आज यह फैसला किया जाय कि भूमि तारीख के जो मार्केट रेट हो, फंस वैल्यू नहीं, बल्कि मार्केट वैल्यू जो शेयर्स का हो वह सरकार कम्पेन्सेशन अदा करे। आप जानते हैं कि जितनी ऐसी समस्याएँ या बैंक चलते हैं और जिन आदमियों का बैंकों के चलाने में हाथ है वह हिन्दुस्तान के बहुत ज्यादा होशियार आदमियों में से हैं। और उनके जो एम्प्लोईज हैं, इन्तिजाम करने वाले हैं, छोटे एम्प्लोईज से मेरा मतलब नहीं है क्योंकि उन के मफाद का तो यहाँ कोई खतरा भी नहीं हो सकता जो बड़े बड़े मैनेजर या मैनेजिंग डाइरेक्टर हैं उन के मफाद का खतरा हो सकता है, वे सब के सब आप जानते हैं बहुत होशियार आदमी हैं। आप को मालूम ही है कि कई बड़ा हिन्दुस्तान की इतनी बड़ी सेक्रेटिरिएट से कमी कमी खबरें निकल जाती हैं। जब बजट की बात भी निकल जाती है तो इस बात का पता लगाना कि कौन सी बैंक को सरकार के रही है कोई मुश्किल नहीं है

और उन के शेयर्स की कीमत को बढ़ाना आसान बात है। मैं चाहता था कि बैंकिंग कम्पनियों के शेयर्स की जो फंस वैल्यू है वही उन को दी जाये। जो सस्ता मंहगा खरीदता है वह उसी तरह भुगतें जिस तरह कि जमीन के बारे में होता है। इस में हम यह रियायत क्यों रखें। उस को भी उसी उसूल के ऊपर कम्पेन्सेशन अदा करें जिस तरह से कि जमीन का अदा करते हैं। लेकिन आप जानते हैं कि बैंकों के हिस्सेदार पढ़े लिखे आदमी होते हैं, उनमें से बहुत सारे तो राज में भी दखल रखते हैं, कुछ सरकारी नौकरी भी करते हैं। वे ह्वाइट कालर्ड जमात के लोग होते हैं। उन को कुछ न कुछ प्रिफरेंस मिलता ही है। उनको जो प्रिफरेंस मिल रहा वह बहुत ज्यादा है और मैं चाहूँगा कि इस मामले में मंत्री महोदय को ज्यादा से ज्यादा अस्तित्व रखें तो देश के लिये अच्छा है। उन को जो अस्तित्व है वह इस देश का अस्तित्व है। अगर वह गलती करते हैं या उन का सेक्रेटिरिएट गलती करता है तो यह सदन मौजूद है, वह इस पर एतराज कर सकता है। लेकिन अगर कहीं तारीख मुकर्रर हो गई तो गवर्नमेंट के हाथ बाध जायेंगे और गवर्नमेंट मार्केट रेट के मुताबिक मुआवजा देने के लिये मजबूर हो जायेगी।

मैंने भी यह नया फील्ड है। जिस के अन्दर सरकार ने हौसला किया है। मैं समझता हूँ कि बैंकों को लेना चाहिये। लेकिन ऐसे वक़्त में सरकार के हाथ बाध देना अकलमन्दी नहीं होगी। बड़े बड़े नौकरों की तनक्काहें बढ़ाई जा सकती हैं। आप ने देखा कि जब बीमा कम्पनियों के आदमियों की तनक्काहें मुकर्रर का सवाल हुआ कि उनको कहां रक्खा जाये, किसको क्या प्रोन्नत दिया जाये तो हाउस में कितना वाबिसा हुआ था। छोटी बीमा कम्पनियों में वही मालिक वही काम करने वाले। वही हिस्सा बैंकों का है जो मरजी चाही अपनी तनक्काहें कर दी और जब उन को पता चलेगा कि सरकार ने लेना है। तो उन के लिये बहुत आसान होगा कि

[श्री ० रमवीर सिंह]

वह अपनी तनखाई बढ़ा ले। ऐसी हालत में सरकार के हाथ बाध देना जायज नहीं होगा।

दफा ३४ में अमेन्डमेंट का सवाल है। मैं चाहता था कि आज वह दिन आया है जब इस में अमेन्डमेंट किया जाये। पहले जब इम्पीरियल बैंक को स्टेट बैंक बनाया गया था तो यह स्थान जाहिर किया गया था कि देश की खेती की पैदावार बढ़ाने के लिये इम्पीरियल बैंक बहुत कम रुपया लगाता है। अब देश की पैदावार बढ़ाने के लिये ज्यादा रुपया लगेगा। लेकिन आप जानते हैं कि खेती की पैदावार बढ़ाने के लिये दो तीन तरह का लोन चाहिये। एक तो फसल के लिये कुछ रुपया चाहिये और इस के अलावा मीडियम टर्म लोन और कुछ नाग टर्म लोन चाहिए। नाग टर्म लोन के लिए तो लेंड मास्टेज बैंक हैं। लेकिन आज काश्तकार को मीडियम टर्म लोन नहीं मिलता। खेती की पैदावार बढ़ाने के लिये यह बहुत जरूरी है कि पानी का इन्तिजाम किया जाय और कुछ दूसरे इन्तिजाम किये जाय लेकिन उन के लिये किसान के पास सरमाया नहीं होता। उस सरमाये को देने के लिये कोई न कोई रास्ता निकालना चाहिये। मैं समझता था कि आज देश के हालात को देखते हुए इसका इन्तिजाम किया जाएगा। प्रायः देश को बाहर से कितना अनाज मंगाना पड़ रहा है। कितना अछड़ा होता अनाज आज दफा ३४ में कोई ऐसी तबदीली कर दी जाती कि किसान को कुर्बो अगरह के लिए मीडियम टर्म लोन मिल जाता जिसको वह चार पांच साल में अदा कर दे। मैं समझता हूँ कि श्री गोपाल रेड्डी जी ने एक काश्तकार के घर में जन्म लिया है इसलिए वह इस चीज को समझते हैं और वह इस में तबदीली लाने की कोशिश करेंगे जिससे काश्तकार को भी मीडियम टर्म लोन की भी नाग है वह पूरी हो। यह चीज

देश की पैदावार बढ़ाने के लिए बहुत जरूरी है। हमको जो बाहर से अनाज मंगाना पड़ रहा है उसको कम करने के लिए इस तरह की तबदीली करना बहुत जरूरी है। मैं समझता हूँ कि इसके लिए वह जल्दा ही कोई अमेन्डिंग बिल लाएंगे।

Shri L. Achaw Singh (Inner Manipur): Mr Deputy-Speaker, Sir, this Bill seeks to amend certain provisions of the State Bank of India Act, 1955. While we welcome this Bill we are also in favour of strengthening the institution of the State Bank and in making the State Bank's functioning and operations as effective as possible. The Joint Committee has set its seal of approval on these amendments to the principal Act and we have to judge the Bill in the light of its recommendations.

I would like to make certain observations, however, on the functioning of the State Bank and also on certain provisions of this amending Bill. I should say that since the establishment of the State Bank of India and the nationalisation of the Imperial Bank there has been very little progress in credit expansion. The credit expansion is intended to improve our agriculture and small industries in the rural areas.

The original purpose of the principal Act was the creation of a very strong integrated and State-sponsored banking institution in this country. It was also intended that it should provide an effective machinery with branches spread all over India.

This object has not yet been fulfilled. And, if any steps are necessary now to arm this Bank with special powers we do not grudge it and we are ready to grant them. But we find that the Bank has got a bias in favour of big business in the big towns. Small artisans, small businessmen and small industrialists have not been given the necessary credit they require for the expansion of

their business. The credit co-operatives and other institutions also have not been extended the necessary help and support for the development of our rural economy.

Clause 6 of the Bill now seeks to amend section 35 of the State Bank of India Act 1955. This provides for the acquisition of the business of other banks, through negotiations, by the State Bank of India. The hon. Minister in his various speeches has pointed out that there have been difficulties in acquiring the business of such banks and that the procedure has been too lengthy and elaborate. This clause seeks to simplify the procedure.

There are certain small State-associated banks; and the Rural Credit Survey Committee has already recommended their amalgamation with the State Bank of India. There are a number of banks and the acquisition of these banks has been under consideration. The amalgamation of the Cooch Behar State bank and the Manipur and State Bank had been practically done now. Government now proposes that the legal validity of the schemes sanctioned under section 35 would be made absolute and the transferring and vesting of business of the banks should be made automatic and the procedure should be a summary one. I hope this will help the State Bank to acquire the business of banks in a speedy way. It has also been pointed out that the procedural formalities under the Companies Act and also under the Banking Companies Act have been very difficult, especially with regard to the winding up of these banks. This new clause will facilitate the liquidation of all these banks. I appreciate this provision because I have also found it necessary. The case of the Manipur State Bank, for instance, was sanctioned as early as May, 1953. Still the procedure for amalgamation has not been completed because there are a lot of formalities to be completed and

the procedure is very tedious. The directors are complaining that they had certain qualifying shares in the bank and in the negotiations, they were promised that they would get their shares back. They now complain that they had not got refund for these shares. The Rural Credit Survey Committee has also recommended that the Mayurbhanj Bank and a number of small State associated banks should be amalgamated with the State Bank of India in order that there may be a centralised banking institution and the service of the bank may be available in those areas where these banks were functioning. We have no objection to these clauses, we rather welcome it. There are also a number of improvements in this Bill the provision regarding payment of new pension funds for new entrants, the provision for reimbursement of losses incurred by the establishment of new branches and the appointment of experts in the board of directors of the bank. All these will help to strengthen the institution.

But I cannot fully agree with the views of the Government regarding the suspension of sections 25 (f) and (ff) of the Industrial Disputes Act. We are not in favour of giving unmerited advantages to the employers. From the nature of clause 6(8) it appears that the employees may be compelled to accept unsatisfactory terms and conditions of services after the taking over. Here again it is proposed to do away with the gratuity benefits and the retirement benefits, earned by the employees. These should not have been taken away from them by this amendment. That is why we suggest that the length of service of such employees should be maintained so that they may get the benefit of their entire service when they go out of the establishment. It is also necessary to guarantee in this provision itself that the terms and conditions of service offered by the State Bank should not in any way be inferior to those

[Shri L. Achaw Singh]

enjoyed by them in the banks in which they were working. I submit that the Bill should be supported by this House.

Shri Balasaheb Patil (Miraj): Sir, the only important clause in the Bill is clause 6. It was referred to by several speakers who preceded me in different contexts. One of the contexts in which it was referred to is the lacuna that remains between the date of the agreement and the date of sanction—that is, the date on which the sanction comes into force. That will be the date for the payment of compensation. I feel that in clause 2 it appears that it is in the form of proposal and acceptance. There is some agreement between the board of directors of the State Bank and the directors or the management of the banking institution and that agreement comes to the Government for sanction. Thereafter it does not become a contract. It appears that it is further prolonged and it becomes effective on the date on which the sanction will come into effect. It is very clear from sub-clause 5 that it is only on the date on which the terms and conditions as aforesaid come into effect the business and the assets and liabilities of the banking institution concerned will go to the State Bank. That means that it will be the date which must be taken for the payment of compensation in any form—either cash or shares of the State Bank. This will take not less than a month; it may take more than a year. So, if a rumour spreads out that negotiation is going on between the bank and the Government, it may affect its business or the price of shares or many other things. In one case the Government will have the benefit or the State Bank will be benefited or in some other cases, the shareholders of the banking institution will be benefited. Therefore, some arrangement should be made at least to keep it secret and it should be made known to the public only on the date on which it comes into force.

It may be binding on both the parties. After all, it is the nation which pays the amount of compensation either in cash or in shares. In order to safeguard the interest of the larger public who pay the tax, it must be kept a secret so long as the date on which it has to be given effect to arrives. As soon as effect is given, the whole assets and liabilities and many more things that are attached to that goes to the State Bank of India. Then again, we find that there are certain provisions about the appointment of a person to take over the assets and liabilities; after sometime he has to wind up the business. I fail to understand as to what remains to be wound up at this stage. Sub-clause (5) is very clear that as soon as the sanction comes into effect, the whole of the assets and liabilities and everything else go and become the assets and liabilities of the State Bank of India. What is remaining there? Therefore, I feel that clauses 9 to 11 are redundant.

I have also carefully read the notes on clauses attached to the Bill by the Government. There they say: "...and then the Bank may, if necessary, be wound up". The expression "if necessary" has been used. I want to know from the Minister concerned whether there will be such type of winding up and then the declarations, claimants coming forward—creditors and debtors—the findings of the institutions and the whole proceedings going on for three to four years. Is that what is going to be done? What is the meaning of clause 5 which says that the assets and liabilities will merge into the assets and liabilities of the State Bank? Some clarification is needed in this connection.

Further,—it has been referred to by my two colleagues here—sub-clause 8 to clause 6 is a very sweeping one. If we refer again to the notes attached to the Bill that was introduced, it seems that it refers

only to two clauses of the Industrial Disputes Act, 1947—25(f) and 25(ff). Then it goes on to say that in cases where there is a substantial break in the continuity of employment or a reduction of emoluments or other benefit it will not be applied. It seems they are referring to retrenchment compensation and other things. If you read carefully sub-clause (8) you will find that it has been framed under the pretext of not giving retrenchment compensation. If the whole management of the bank is taken over by the State Bank and the State Bank offers to all the employees that they shall be employees of this branch of the State Bank, then there is no need of paying any retrenchment compensation. But there are so many other benefits that are conferred upon the employees under the Industrial Disputes Act of 1947. This sub-clause (8) nullifies it, because it says: "Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law or in any agreement.....any compensation to which he may be entitled under that Act or that other law or that agreement and no claim in respect of such compensation shall be entertained by any court, tribunal or other authority.....".

Therefore, my submission to the Ministry concerned is this, that if they want to take away certain benefits from the employees to which they are entitled under the Industrial Disputes Act they must enumerate what benefits are to be taken away under this sub-clause, whether it is retrenchment compensation or change in pay, dearness allowance and other amenities, or whether they are going to take away all the benefits under an award which the employees after fighting in the Supreme Court might have got just before the State Bank took over the affairs of that bank. They might have got an award for bonus or for other amenities. Because of the taking over of the affairs of the bank, that award would be nulli-

fied. In that way too much injustice would be done to those employees. Therefore, if the Ministry wants to curtail certain of their rights they must enumerate them here and say specifically which particular sections of the Industrial Disputes Act are not going to have any force and to what extent. This is urgently needed.

These are some of the things on which the Ministry should do something, so that this will be a beneficial and a good Act.

Dr. B. Gopala Reddi: Sir, two main points were raised during the course of the discussion. Shri Bharucha asked how this new procedure is going to simplify the process of acquiring any other banking institution. I might assure him that the compensation to be paid is not on the share value on any particular day, either on the notified date or on the actual acquiring date, but it is on the basis of assets less liabilities. And, having acquired some experience with regard to the Cooch-Behar Bank in 1957 and the Manipur Bank in 1958, both the State Bank and the Reserve Bank thought that the elaborate procedure that is now involved under the Companies Act, the Banking Companies Act or any other Act is unnecessary and the whole procedure must be cut short. This new provision, therefore, enables the State Bank to cut short the procedure so that they can take over a banking institution.

With regard to subsidiary banks, of course, it is a different procedure. We are going to deal with those banks in the next Bill. It is only an enabling provision so that if at any future time the State Bank wants to take over any other banking institution it need not be delayed because of any other law or provision to the contrary in any other Act, or defect in the constitution of the Bank, appointment of the Board etc. All these things can hold up the entire scheme for a very long time, and that was the experience of State Bank in regard to the Cooch-Behar Bank and the Manipur Bank. The residuary

[Dr. B. Gopala Reddi]

institution after transfer is only to comply with the elaborate provision under the Companies Act. The residuary institution can be cheaply managed and it can be wound up easily by a Central Government order. Therefore, the new procedure has been conceived by the State Bank, it has been discussed with the Reserve Bank, and we in the Joint Committee have also bestowed a good deal of attention on this aspect. I can say that the Joint Committee went into the question very thoroughly, and we thought it was necessary.

The second point raised is about the conditions of service of the employees. Repeatedly they are trying to say that whenever a new bank is taken over they must be given all the facilities and all the emoluments of the State Bank. But the intention of the Act was not that, and it is no use trying to drive the State Bank to that position. When a bank is taken over it is taken over under certain conditions, and because it is going to be a new company all the old service people must go into the new company. Whenever a banking institution is taken over it will be followed by a clear statement of what they are going to get regarding leave, pension rules, emoluments and all that. All those things are protected. But if in regard to any particular point it is disadvantageous to them they cannot go to any court and then say that the whole thing is illegal because their service conditions are affected. If in the aggregate the overall position is favourable to them, it is open to them either to accept all those conditions put together or to resign and then seek employment elsewhere. But the intention of the State Bank and the Reserve Bank is that they should be fully protected and there is nothing to worry with regard their service conditions etc. Whatever they were getting on the whole would be assured to them. On a particular point it may be more advantageous to them, or on a particular point it may be a

little disadvantageous to them. But because on a particular point it is a little disadvantageous to them the whole thing need not be vitiated, and that is the only intention of the Government.

These were the two points, Sir, that were raised, and I may assure the House that these two points were elaborately gone into by the Joint Committee. Hon. Members need not have any misapprehension that something unfair is going to be done to anybody. Either in the matter of compensation or in the matter of service conditions to the employees, due care will be taken by the State Bank as and when it arises, and no misapprehension need be entertained.

15 hrs.

With regard to the other points I need not take them up here, namely, what the Reserve Bank is doing for the agriculturists or the small-scale industries and things like that. The provisions are in the Reserve Bank of India Act and the Reserve Bank on the whole has been lending large sums for agriculturists for their co-operatives. The State Bank is also assisting the small-scale industries. Therefore, I do not think there is any other point which the hon. Members wanted to be clarified. I am very happy that there is general approval for this amending legislation.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the State Bank of India Act, 1955, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to the Bill.

The question is:

"That clauses 2 to 10, clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 to 10, clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. B. Gopala Reddi: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

15.01 hrs.

STATE BANK OF INDIA (SUBSIDIARY BANKS) BILL

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to move:

"That the Bill to provide for the formation of certain Government or Government-associated banks as subsidiaries of the State Bank of India and for the constitution, management and control of the subsidiary banks so formed, and for matters connected therewith, or incidental thereto, as reported by the Joint Committee, be taken into consideration".

While moving the aforesaid Bill as reported by the Joint Committee of both Houses of Parliament, I think I will not be expected to make a long speech on this Bill at this stage. The Committee has given very careful and detailed consideration to the various clauses of the Bill and also heard the evidence tendered by the All-India Bank Employees' Association, putting forward its point of view. After hearing this evidence and examining the five representations received by it, the Committee has not found it necessary to recommend any major changes in the scheme of this legislation.

The modifications which the Committee has made are mostly in the nature of drafting improvements. But I would like to refer to one or two alterations which are of some interest.

As I indicated in the course of my speech in the House on the motion for reference to the Joint Committee, we have included a provision enabling the Central Government to nominate an additional member on the board of directors of any subsidiary bank after its reconstitution. I notice, Sir, that the wisdom of this amendment has been questioned by one of the members of the Joint Committee, and I will, therefore, say a word or two in justification of this provision.

As hon. Members are aware, with the passage of this Bill, the sector in banking with which the Central Government will be directly associated, will command something like 25 to 30 per cent of the normal deposits (after excluding P.L. 480 funds) and the normal advances of the commercial banking system. The Central Government's overall responsibility for the administration of the Banking Companies Act and the formulation and enforcement of appropriate policies in relation to the banking system as a whole, will also continue, and these responsibilities will, in future, become even more important and onerous. We feel that it will be an advantage in these circumstances for the Central Government, through its representatives, to become somewhat more closely acquainted with the commercial banking system than it is today, and the amendment which the Joint Committee has included in clause 25 of this Bill will, to some extent, help in achieving this purpose.

It is also obvious that if the Central Government has a residuary and optional power to depute a nominee to the board of any State-associated bank, it will be able to ensure that the expansion of banking facilities and the provision of certain basic services, in accordance with the

[Dr. B. Gopala Reddi]

objectives which we have in view, will be adequate and satisfactory. The addition which has been proposed is innocuous and I do not see why anyone should object to it.

The House will notice that the Joint Committee has liberalised the provisions of the Bill in certain directions, from the point of view of non-officials, who are or may be interested in the banks. The requirements for the reference to the tribunal of any dispute regarding the compensation which may be offered on reconstitution have, for example, been relaxed. The shareholders of the existing banks are now being enabled, as a special case, to obtain shares in the reconstituted banks, to the full extent of 45 per cent of their existing individual holdings of shares, without being restricted to any further independent ceiling. The duration of office of the members of the first nominated boards has also been curtailed to one year, so as to provide for an earlier reconstitution of these boards in accordance with the normal provisions of the Act. I am sure the House will welcome these changes.

The Committee has been criticised by some Members for not having supported a straight scheme of amalgamation, as recommended by the Rural Credit Survey. This criticism seems to be based on an inadequate appreciation of the facts, and also on certain misapprehensions. We considered it necessary, after very careful thought, to depart from this recommendation, as there was no justification for conferring adventitious and unjustified benefits on the employees, merely because we happen to be reconstituting these banks for certain other desirable ends.

It has been argued that the cost of extending the State Bank's scales of pay and conditions of service to all the employees of its proposed subsidiaries will not be great, and that this extra cost may also be offset by the

economies resulting from amalgamation. This assumption is entirely unwarranted. The total number of persons employed by all the subsidiary banks is, I think, in the neighbourhood of 7,000. The additional burden of increasing the emoluments of this staff will be such as to render a number of the existing branches unremunerative, and it will also affect very seriously the ability of these institutions to undertake the new tasks which we want to entrust to them.

There has been some criticism in one of the minutes of dissent of the drafting of this Bill. I must confess that I was somewhat surprised to read it. I can only say that the Bill, so far as I can see, is clear and lucid, and it is based on a model which has served us very well in the past. I am sure that the view expressed in the minute of dissent is not widely shared.

I would like to conclude by saying that as far as they are able to judge, Government are satisfied that the Bill has received fairly wide support. I may, perhaps, quote one instance in support of this claim. Our attention was drawn some time ago to the reports of certain misgivings on the part of some of the shareholders and directors of the Bank of Mysore, which is one of the affected banks. It appeared that these shareholders and directors were, perhaps, not very fully acquainted with the implications of the scheme of reconstitution, and these implications were, therefore, explained to them. The result has been that at an extraordinary general meeting, which was called in July, 1959, to reconsider the acceptance by the Bank of Mysore of the scheme of reconstitution embodied in this Bill, no support was found for a departure from the present scheme. I think that we may regard this as a reasonably satisfactory test of the merits of this measure.

It is our intention to undertake the proposed reconstitution of these banks as early as possible and very soon thereafter we hope that we will be able to convince this House, and all others who may be interested, that the progress of these institutions has abundantly justified the change I would commend the Bill, as modified, for the consideration of the House.

Sir, I move.

Mr. Deputy-Speaker: Motion moved

"That the Bill to provide for the formation of certain Government or Government-associated banks as subsidiaries of the State Bank of India and for the constitution, management and control of the subsidiary banks so formed, and for matters connected therewith, or incidental thereto, as reported by the Joint Committee, be taken into consideration"

Shri Prabhat Kar (Houghly) Mr. Deputy-Speaker, Sir, the hon Minister has tried to explain why the Government has thought it fit not to straightaway amalgamate the State-associated banks as recommended by the Committee of Direction on All-India Rural Credit Survey. As per the suggestion of that committee, the State Bank was formed and at that time, it was suggested that the State Bank of India should be formed with the amalgamation of the Imperial Bank of India and 10 State-associated banks. This was recommended with a view to see that all the banks which were under the patronage of the Government of India and the erstwhile princely States are amalgamated and they function in an integrated way under the control of the Government of India.

The Imperial Bank was taken over and the State Bank was formed, but it took about four years for the Government of India to consider what steps they will take in respect of the other State-associated banks. After considering the matter thoroughly, they

decided that it was not necessary to amalgamate them straightaway, as recommended by the All-India Rural Credit Survey Committee. The reasons for this have not been given properly up till now. I would rather say that the way the Bill has been brought before Parliament clearly leaves room to doubt whether the purpose for which the recommendation was made and accepted by the Government will be served.

The Bill was sent to the Joint Committee where the Members were confronted with a peculiar situation, because this Bill was brought before Parliament as a result of an understanding arrived at with the shareholders and the directors of the banks which are now being integrated. The Government made it clear that it was not possible for them to change anything so far as the terms of the agreements were concerned, excepting certain minor alterations here and there. Naturally, the Members of the Joint Committee could not properly deal with the subject as the scope was very limited.

The Minister stated that the Government did not want to impose by statute conditions on every bank and an attempt was made to persuade them to agree to the suggestion of the Government. Also, in order to see that all the banks agreed, certain concessions asked for by those banks were given. As a result of that, this Bill has come today and we find that out of 10 banks recommended, only 6 banks have been brought in. The others could not be brought in because their management did not agree with the suggestions of Government or the terms offered by the Government and the State Bank of India.

The first purpose of taking over all the banks as subsidiaries would be to rationalise the operation cost. But what do we find today? Although the banks will be run as subsidiaries of the State Bank of India, they will be run with all the paraphernalia and with all the operating cost and this taking over by the State Bank of India will

[Shri Prabhat Kar]

not in any way decrease the operating cost of these banks. There would be separate Boards of Directors, separate managing directors, if necessary, and separate general managers with high salaries. Although the State Bank of India will have control over the working of these banks the top-heavy organisation of these banks will continue. I do not know why, when these banks are being taken over as subsidiary banks of the State Bank of India, the top-heavy organisation could not be curtailed and at least why the general manager or the managing directors of these banks could not be removed when the State Bank of India will be controlling the working of these banks.

So far as the employees are concerned, the hon. Minister said that it is an unreasonable demand that they should get the same emoluments on a par with the employees of the State Bank of India. He promised that at least one guarantee could be given that the existing emoluments of the employees will not be curtailed and the employees will not be at a disadvantage. I would draw attention in this connection to clauses 62 and 63 of the Bill. Under clause 63, the State Bank will have the power to make regulations providing for the conditions and limitations subject to which the subsidiary bank may appoint officers, advisers and other employees and fix their remuneration and other terms and conditions of service and the establishment and maintenance of super-annuation, pension, provident or other funds. The employees of these banks are today governed by awards. They are governed by the clauses of the Industrial Disputes Act. After these employees become employees of the subsidiary Bank, immediately the State Bank of India decides what will power to provide regulations which will govern the service conditions of the employees. That means that if the State Bank of India decides what will be the service conditions, they will be final and the employees will not have the same right as they are enjoying

today to raise an industrial dispute. Sub-clauses (m), (n) and (o) of clause 63(2) take away some of the rights of the employees which they have been enjoying today. When it was brought to the notice of the hon. Minister that these provisions really work against the interests of the employees, he said that the employees will not be justified in claiming any advantage, though they will not be placed in a disadvantageous position because of their banks being taken by the State Bank as a subsidiary.

Here I will draw your attention to clauses 15 and 16. Clause 15 gives the Central Government the right to appoint a tribunal. Clause 16 defines the power of the tribunal. Clause 16(2) says

"Notwithstanding anything contained in sub-section (1) or in any other law for the time being in force the Tribunal shall not compel the Reserve Bank, the State Bank or any subsidiary bank—

(a) to produce any books of account or other documents which the Reserve Bank, the State Bank or the subsidiary bank claims to be of a confidential nature;

(b) to make any such books or documents part of the record of the proceedings before the Tribunal, or

(c) to give inspection of any such books or documents to any party before it or to any other person."

A tribunal will be appointed to adjudicate the disputes. Yet the tribunal will not be given the right to call for the books which the subsidiary banks claim as privileged. Then how will the tribunal be in a position to give a fair judgment? I can understand that certain documents should be kept confidential. But nothing should be kept secret from the judiciary. It may not be published but the power of the tribunal to call for the books should

not be curtailed. Otherwise, it will not be possible for the tribunal to give proper judgments in the matters that will be referred to it.

Then these banks have a number of branches all over the Part B States. In about 1953, they had more number of branches and pay offices than the Imperial Bank of India had. A network of branches in the Part B States will enable the banking system to play a proper role which the State Bank of India is expected to play. With the help of the State Bank of India, with the status of the State Bank of India behind these banks, there is enough scope for these banks to improve. We would ask the Government to consider this aspect.

Today there will be many places where these banks have branches along with the State Bank of India. In such places what will be the position? Will the branches of the subsidiary banks be asked to close down? Or will the State Bank of India branches be shifted to some other places? Because, these banks generally operate in a particular area where perhaps there will be no other banks or only less number of branches of other banks. I would like to know from the hon. Minister that after the banks are taken over as subsidiary banks what steps they will take regarding the branches of the State Bank of India and the subsidiary banks of the same area. I have particularly in view one bank which handles the Government treasuries and which has not accepted the Government's proposal—the Bank of Rajasthan. What will be its future, particularly in relation to the treasury of the Government of India?

15.29 hrs.

[SRI BARMAN in the Chair]

I would request the hon. Minister to clarify that also.

It was stated that the Bank of Baroda having managed to go out of the control of the State the question of

considering the ease of the Bank of Baroda does not arise. In that case, I would like to point out that if any of these banks in the mean time attempt to go out then the recommendations of the Rural Credit Survey Committee, which were accepted by the Government, could not be implemented, because in such a long time the bank magnates could really go out in the same manner as the Bank of Baroda has done. This delay—I do not know the reason for it—has frustrated the purpose for which the All India Rural Credit Survey Committee has made certain recommendations to the State Bank of India.

I know that today it would be useless to discuss whether straightaway amalgamation would have been correct because the Government, having committed already with the shareholders and the directors of the other Branch however we may argue over here, will not accept it. So, I do not want unnecessarily to waste the time of the House by arguing that amalgamation would have been the best way. But one thing that I would like to stress again is rationalisation at the top which is most important after these banks have been taken over and are run as subsidiaries. That particular question the Government must consider. There is no necessity of each having these managing directors or general managers or a set of managing directors and general managers because henceforward the State Bank will control them. It can control with lower grade officers. Then it will not be necessary to control these banks with the help of these highly paid officers and rationalisation at the top will be possible. In that respect at least the purpose, for which amalgamation would have been stressed for, to a certain extent could be served.

With these words I welcome this Bill. I welcome this Bill because I know that once these banks are taken over as subsidiary banks, if not today, tomorrow or the day after they will automatically be amalgamated with the State Bank of India. It is

[Shri Prabhat Kar]

step in the right direction. We would have been glad if these had been amalgamated straightaway. But although it is a late step, it is a step in the right direction for which I welcome this Bill I would request the hon Minister to consider some of the suggestions or to clarify some of the points which I have stated

श्री राम कृष्ण गुप्त (महेन्द्रगढ़) बेधर-
मैन साहब, मौजूदा बिल जो सेलेक्ट कमेटी से इमर्ज हुआ है, बहुत ज्यादा ग्रहणित रखता है और गवर्नमेंट ने बैंक्स को नेशनलाइज करने की तरफ यह बहुत बड़ा और मजबूत कदम उठाया है। मेरा अपना ख्याल तो यह है कि सबसे अच्छी तजवीज यह थी कि इन बैंक्स को स्टेट बैंक आफ इंडिया के साथ अमलगेमेट कर दिया जाता और जैसे कि अभी मेरे दोस्त ने कहा रूरल क्रेडिट सर्वे कमेटी जो मुकर्रर की गई थी उस की भी यही सिफारिश थी। लेकिन इस के बावजूद भी मैं इस बिल को बेलकम करता हू क्योंकि इस को पास करने से हिन्दुस्तान के अन्दर, देहातों के अन्दर खास तौर पर एग्रिकल्चर के लिये इस से बहुत मदद मिलेगी। अब तक बैंकों का तमाम रुपया ज्यादातर कमर्शियल परपोजेज के लिये यूटिलाइज होता था, वह अब इस तरफ इस्तेमाल हो सकेगा क्योंकि इन बैंक्स के ऊपर स्टेट बैंक आफ इंडिया का इंडाइरेक्टली काफी कंट्रोल हो जायेगा। इसीलिये इस बिल की सबसे ज्यादा जरूरत इसलिये थी कि अब तक जो हमारे बैंक हैं उन को अगर कमर्शियल बैंक कहा जाय तो ठीक है क्योंकि उन से ज्यादातर हिन्दु-स्तान की कामर्स को फायदा पहुंचा, इंडस्ट्री की तरफ थोड़ा बहुत ध्यान जरूर था, लेकिन रूरल क्रेडिट की तरफ, देहातों की तरफ उनका बहुत कम ध्यान था, वह अब नहीं हो सकेगा। इस अक्सड के लिये गवर्नमेंट आफ इंडिया ने एक रूरल क्रेडिट सर्वे कमेटी भी मुकर्रर की थी। उनमें भी अपनी रिपोर्ट में

यह कहा था। उस कमेटी ने हिन्दुस्तान में ७५ जिलों का सर्वे किया। उसने अपनी रिपोर्ट में कहा है कि इन ७५ जिलों में से ४४ जिलों की हालत यह है कि वहां एक पाई भी रूरल क्रेडिट के लिये कावतकारों को नहीं दिया गया। तमाम रुपया कमर्शियल परपोजेज के लिये इस्तेमाल किया गया। इस चीज को देखते हुए उस कमेटी ने दो बातों की सबसे ज्यादा सिफारिश की थी। उस की सबसे पहली सिफारिश यह थी कि इम्पीरियल बैंक आफ इंडिया को नेशनलाइज किया जाय। उसकी दूसरी तजवीज यह थी कि स्टेट्स के अन्दर जो बैंक हैं उनको स्टेट बैंक आफ इंडिया में मुकम्मिल तौर पर अमलगेमेट किया जाय। जहां तक इम्पीरियल बैंक को नेशनलाइज करने का मवाल है उसे नेशनलाइज कर दिया गया है। इसके लिये मैं गवर्नमेंट को मुबारकबाद देता हू। लेकिन जो उस कमेटी ने दूसरी सिफारिश की थी कि उनको अमलगेमेट किया जाये, यह नहीं किया गया मैं नहीं समझता कि उससे क्या फायदा होगा। अगर वाम्बव में देखा जाय, प्रैक्टिकल तौर पर उन बैंक्स पर स्टेट बैंक आफ इंडिया का मुकम्मिल तौर पर कंट्रोल हो गया लेकिन उसमें नुकसान इतना जरूर हो गया कि हमें खर्च ज्यादा करना पड़ेगा, अलग एजेंन्सी कायम करनी पड़ेगी, अलग उस के लिये मैनेजिंग मुकर्रर करने होंगे। अगर इंडाइरेक्टली उन को अमलगेमेट किया जाना तो बहुत खर्च बच जाता।

इसके अनावा जहां तक बैंक आफ पटियाला का मवाल है, मैंने पहले भी इस हाउस का ध्यान इस तरफ दिलाया था, इस बैंक के बारे में बाड़ा सा धाज भी कहना चाहता हू। बैंक आफ पटियाला जो पहले पटियाला स्टेट का था, उस वक्त मुकम्मिल तौर पर एक डिपार्टमेंट था। उसके बाद जब पटियाला को दूसरी स्टेट्स के साथ मिला कर पेप्सु के नाम से एक यूनिन बनाई

नहीं, तो उस वक़्त कोई समझौता नहीं हुआ था जिस की वृत्ति से यह तय होता कि इस बैंक का अपना धर्म उस के धर्मों के समूहों में। कांस्टिट्यूशन में जो २६५ धार्मिक हैं उसमें साफ़ तौर पर लिखा है, मैंने उस रोज़ भी हाउस में इस बात का इशारा किया था कि यह जरूरी था कि पहले कोई एग्जिमेंट होता। उस एग्जिमेंट के न होने से मेरी समझ में यह बात नहीं आती कि इस बैंक का क्या नहीं मजबूत किया गया। यह तो आलरेडी ही गवर्नमेंट आफ इंडिया की प्रापर्टी थी, उसको सम्मिलित करी बैंक बनाने का तो मसाला ही पैदा नहीं होता।

दूसरी चीज़ मैंने उस रोज़ भी कही थी और आज भी मैं उस बात पर भी खास तौर पर जोर दूंगा कि जहाँ तक प्रमोशन का सवाल है, कम से कम हमें ऐसा जरूर करना चाहिये था कि जो उन बैंक के मालाजमीन हैं, एम्प्लॉयीज हैं, उन को वही फॉसिलिटीज मिलती, उन के साथ वही सहाय्यता होती, उन की कंविन्स वही होती जो स्टेट बैंक आफ इंडिया के मालाजमीन के लिये हैं। जब एक तरफ़ आप उन के ऊपर अपना पूरा कण्ट्रोल कर रहे हैं, ५५ फी सदी स्टेट बैंक आफ इंडिया के प्रमोशन होंगे, इसके अलावा बोर्ड आफ डायरेक्टर्स जो बनेगा, उसके अन्दर भी गवर्नमेंट आफ इंडिया की आवाज़ सब से ज्यादा होगी, तो मैं नहीं समझता कि जहाँ तक मालाजमीन का सवाल है, उन के साथ दूसरा मूलक क्यों किया जा रहा है। इसलिये इस बात को जरूर मान लेना चाहिये, और इस के लिये मेरी अपील है कि कम से कम इस बात को जरूर मान लिया जाय। इसके लिये मैंने एक प्रमोशन भी पेश किया है। अगर क्लॉज ११ के अन्दर उसको तस्वीर कर लिया जाय तो मेरा मतलब पूरा हो जायेगा। मैं माननीय उपमन्त्री जी से भी अपील करूंगा कि वह इस को मान लें। ताकि इन बैंक को प्रमोशन करने से जो कई हजार की लाभाई में मालाजमीन हैं

वह भी यह महसूस करें कि यह बड़ा सानदार काम उठाया गया है और यह उसी काम का नतीजा है जिससे उन की भी कुछ ज्यादा फायदा हुआ।

इसके अलावा जहाँ तक दूसरी तजवीजों का सवाल है, जैसा कि मैंने पहले भी कहा था, मैं दो तीन बातों की ओर भी रिनिस्टर साहब का ध्यान दिलाना चाहता हूँ। इस बिल के अन्दर क्लॉज २५ है, वह बहुत ज्यादा प्रमोशन है कि इस क्लॉज में

"State Bank may with the approval of the Reserve Bank, acquire the business including the assets and liabilities of any other banking institution or any subsidiary bank."

और लगा दिया जाये।

प्रमोशन जो क्लॉज है उस का मतलब यह है कि सर्वर डीपरी बैंक किसी भी बैंक के बिजनेस को कंट्रोल करने के लिये नेगोशिएशन स्टार्ट कर सकता है।

इस के लिये मैंने यह प्रमोशन तजवीज किया है कि अगर इस के क्लॉज को इस तरीके से रखा दिया जाय तो ज्यादा अच्छा होगा कि स्टेट बैंक को भी यह हक दिया जाय कि अगर वह भी चाहे तो किसी भी सबसिडियरी बैंक को अपने अन्दर एमल्यूट कर सकता है।

जैसाकि अभी क हा गया मूनर और लैटर इन बैंक को स्टेट बैंक आफ इंडिया में एमल्यूट करना पड़ेगा। उस वक़्त कोई खास कानूनी या कांस्टिट्यूशनल दिक्कत पैदा नहीं आयेगी अगर यह तजवीज मान ली जाय और उस हाल में इन बैंकों को एमल्यूट करने में आसानी हो जायेगी।

इस के अलावा मेरी यह भी तजवीज है कि इस बिल के क्लॉज २७ के अन्दर इस बात की तरफ़ इशारा किया गया है कि अगर कोई डाइरेक्टर कोई ऐसा क्रिमिनल ऑफेंस करेगा जोकि सेंट्रल गवर्नमेंट की राय

[श्री राम कृष्ण गुप्त]

वें मीरेल टरपीयूड होगा तो उस को बिस-क्वालिफाई कर दिया जायगा। मुझे इस बात से ऐतराज है। मैं चाहता हूँ कि इस के अन्दर जो यह अलफाज डाले गये कि सेंट्रल गवर्नमेंट की राय में अगर ऐसा होगा तो उस को मीरेल टरपीयूड समझा जायगा और वह बिसक्वालिफाई कर दिया जायगा। मेरे खयाल में यह अलफाज नहीं होने चाहिये क्योंकि ऐसा करने के हमारे जो हार्ड कोर्ट्स या दूसरे कोर्ट्स फैसला देने हैं, हम उस फैसले पर शुबहा करते हैं।

इस के अलावा मेरी यह भी तजवीज है कि इस क्लॉज के अन्दर ऐसे अलफाज भी आने चाहियें वे कि जो डाइरेक्टर फारेन एक्सचेंज या कम्पनीज ऐक्ट के प्राविजस को बाएलेट करता है उस को डाइरेक्टर बनने से बिसक्वालिफाई कर दिया जाय।

बिस उचमंत्रा (श्री ब० रा० भगत) :
ऐसी बात बैंकिंग कम्पनीज ऐक्ट में है।

श्री राम कृष्ण गुप्त : यह चीज बैंकिंग कम्पनीज ऐक्ट में है सो ठीक बात है। यह बहुत अच्छी तजवीज है लेकिन अगर यह तजवीज इस क्लॉज के अन्दर भी होनी तो ज्यादा अच्छा होता ? मैं इस बात पर इस-लिये ज्यादा जोर दे रहा हूँ कि यह जो बैंक्स सबसिडियरी बैंक्स बनाये जा रहे हैं, अगर पिछले दो, चार सालों के अन्दर जो मामलात कहाँ हुए हैं जो बहा का काम हुआ है, उन की एक छोटी सी इनक्वायरी की जाय तो आप को मालूम होगा कि बहा बहुत सी ऐसी चीजें, इररेगुलरटीज वगैरह हुई हैं, उन इर-रेगुलरटीज की मौजूदगी में डाइरेक्टर वगैरह की ग्रहण पोस्ट नहीं दी जा सकती। इसलिये मैं ने इस बात के लिये सास तीर पर जोर दिया था और यह बड़ी खुशी की बात है कि उस ऐक्ट में इस किस्म का क्लॉज है और उस की जरूरत भी बहुत ज्यादा थी।

अभी पिछले दिनों की बात है इस बात का जिक्र इस हाउस के अन्दर भी आया था

कि श्री शांति प्रसाद जैन जोकि पंजाब नेशनल बैंक के चेयरमैन थे उन के सम्बन्ध में बहुत से मेम्बरों ने यह सवाल उठाया कि उन को बिसक्वालिफाई क्यों नहीं किया जा रहा है ? उस के रास्ते में मुश्किल यह थी कि हमारे पास सींगली कौन सी पावर्स हैं, किस कानून के तहत उन के खिलाफ इस किस्म का इन ऐक्शन ले सकते हैं। इसलिये मेरी यह धपील है कि यह जो दोनो बिलों को धमेट किया जा रहा है, इस किस्म के क्लॉजज भी दोनो बिलों में हो ताकि धाबन्दा जो इस किस्म का काम करे उन के खिलाफ आसानी से कानूनी कार्यवाही की जा सके और गवर्नमेंट को कोई दिक्कत पेश न आये। इन बंद शब्दों के साथ मैं कि हम लेबल का स्वागत करता हूँ जिसाकि मैं ने कहा यह ठीक है कि मुकम्मिल तीर पर इन बैंकों को एमलगेमेट नहीं किया जा रहा है। लेकिन इस तरफ यह पहला कदम है और यह हालत ज्यादा असे तक कायम नहीं रह सकती। जब हिन्दु-स्तान आजाद हुआ, पहले राजाधो से एग्रीमेंट किया गया, यूनियम बनाई गई लेकिन वे ज्यादा धर्म तक कायम नहीं रही और बाद में उन का प्राविजस में एमलगेमेट करना पड़ा। इसलिये इन बैंकों को भी एमलगेमेट करना पड़ेगा। यह इस तरफ एक पहला कदम है और इस के लिये मेरी यही धपील है कि जितनी जल्दी इस कदम को उठाया जायगा उतना ही खर्चा कम होगा और उस खर्चे को हम मेजान के दूसरे कामों में और देश की तरक्की के लिये इस्तेमाल कर सकेंगे। इन बंद शब्दों के साथ मैं फिर इस बिल का स्वागत करता हूँ।

Shri T. Subramanyam (Bellary)
Mr. Chairman, Sir, I welcome this Bill. Some friends had expressed the feeling that in pursuance of the recommendations of the Rural Credit Survey Committee, these banks should have been amalgamated and integrated with the State Bank of India. But this Bill rightly contemplates the creation of

subsidiary banks, because it does not follow either of these extreme courses. One course was complete amalgamation with the State Bank of India. The other course was that there should be no amalgamation, there should be an independent working of these bodies as before, that is maintenance of the status quo. Instead of these, this middle course has been chosen. This is a sort of a golden mean.

Only recently the shareholders of the Mysore Bank met in Bangalore. They were under some misapprehension that this subsidiary bank will not work well or properly for the benefit of the people of Mysore State. But I am glad that after considering all these factors they felt that the present arrangement as contemplated and proposed by this Bill would be proper and that they should accord their support to it.

In this, the directorate also will be chosen from the local people. Two directors will be elected by the shareholders. Though it will have an independent directorate, some hon. friends said that it will involve extra expenditure, establishment, staff and all that. But instead of that, there is a sort of decentralisation in this arrangement by which the local sentiment will be satisfied, local apprehensions will be removed. People have expressed in many places that if in the directorate some people are there who have the experience of local conditions, who have a knowledge of the local problems, they will bring to bear all their experience and they can see that local business, commerce, trade and industry, all these things can be developed, particularly small-scale industries. Therefore, I welcome this Bill.

The banking business has all these years been confined mostly to urban areas, encouraging big business, trade, commerce, and all that. Now, the idea is also to serve the rural sector and render all service to the agricultural sector also. I hope that these sub-

diary banks which are going to be created will spread themselves throughout the various States and render all this service.

With regard to the authorised capital, the proposed State Bank, Mysore will have a share capital of two crores of rupees, Travancore also two crores, and the other banks will have one crore each. With regard to the shares, they are freely transferable and no person can have more than two hundred shares. But there is an exception in the case of the present shareholders of these banks, and they can continue to have their shares. The only condition is that the State Bank must have fifty-five per cent of the shares and the others can have only forty-five per cent.

The hon. Minister just now expressed his confidence that the development of these banks will take place to the satisfaction of the people concerned and that these subsidiary banks will render every assistance and service to the people, and particularly to the development of the areas. I share his confidence with regard to the future of these banks, and I am sure that all the apprehensions, fears and suspicions that have been expressed will be belied by their future working, as the hon. Minister said, and that the actual working of these subsidiary banks in future will fully justify the confidence that has been reposed in these institutions and that they will work in the same spirit in which the Bill has been contemplated and brought forward. Sir, I support the Bill.

Shri Ajit Singh Sarkadi (Ludhiana): Mr. Chairman, Sir, I support the Bill in the form in which it has emerged from the Joint Committee, for two reasons. firstly, because it follows in principle the recommendations of the Committee on Rural Credit Survey, inasmuch as it avails of the services of the State associate banks in order to extend the rural credit; and secondly, for the reason that it maintains the entity, individuality and independence.

[Shri Ajit Singh Sarkadi]

of those banks in order to afford them an opportunity of having contact with the people to whose interest they would cater, in order to extend credit, at the same time maintaining the supervision and superintendence of the State Bank

I quite see that there is a substantial opinion that there should have been amalgamation and merger of these banks in the State Bank. But we have got to see this in view of the objective we have got. The objective is extension of rural credit. The rural areas, so far, as you are aware, and the House is also aware, have been starved of all credit. The figures that we have got show—of course, this is subject to correction—that the main credit is to commerce and it extends to the extent, if I am right, of 78 per cent., industry takes nearly 20 per cent and agriculture or the rural areas take only 2 per cent. I congratulate the Government on having taken these steps in enlarging the machinery for the purpose of providing rural credit to the rural population. I believe this was one of the steps which have been taken. But, I would submit that had these banks been absolutely merged in the State Bank, I am afraid, such attention would not have been possible to give to rural credit as now it would be possible for these banks to do

I will take the case of the Bank of Patiala as an illustration. The State Bank of Patiala has rendered signal and yeoman service in the matter of developing industries so far in the erstwhile States of the PEPSSU is concerned. It has got a tradition; it has got a history. If the direction of the State Bank and the Government is that henceforth it should limit or confine its activities to the extension or affording or rural credit, I expect and I hope it would be able to give greater service to the rural population of the Punjab. I submit that I quite see the justification of the demand that they should have been absolutely amalgamated. But, I also see that we have

to take into account the exigencies of the times and the circumstances independently. If the State Bank of Patiala as it is, if entrusted with the duties and function of affording rural credit and enlarging its ambit, and given independence for the purpose and individuality, it would be able to serve better that objective than if it had been merged entirely into the State Bank. We would have a separate Board of directorate. I would discuss the provision in clause 25, as it is regarding the Board of Directorate; I feel it is not very happy. I will be discussing that presently. At present, I would say that amalgamation would not have been in the interests of the objective which we have got in view. The individuality, entity and independence that has been maintained in this Bill would afford greater scope of achieving the objective which the Government has got.

Besides, we might also see the recommendations of the Committee on Rural Credit which was appointed for the purpose of Rural Credit Survey. The main emphasis in the recommendations of the Committee was that there should be extension of co-operative credit and that conditions and climate should be created where it would be successful. For that purpose, they not only recommended co-ordination, Government partnership and efficient personnel, but other things also for that purpose. Of course, I concede that so far as this Bill is concerned, they did say that there should be amalgamation. But, the circumstances have changed. I would only draw the attention of the House to one recommendation on which they laid emphasis on page 214. In para 8, while discussing co-ordination, they said:

"We recommend that while the state co-operative bank and the central land mortgage bank should continue to remain separate entities for legal and financial purposes, direction and management should be common to the

farthest extent possible and the same administrative staff operate under two types of institutions. Thus, the state co-operative bank and the central land mortgage bank should have a common board of directors, a common administrative machinery and a common building to house them. If it is not practicable to have a common board of directors, at least some of the directors should be common to both. This recommendation applies in particular to States where either state co-operative banks or central land mortgage banks have to be newly established. Other States should as far as possible, attempt to modify existing arrangements in approximation to this model."

You will see that they have supplied and advised to maintain separate entity in order to have contact with the rural population directly. I therefore submit, if we look at the substance of their recommendation and where they lay emphasis, they did say that separate entity should be maintained because they will have greater scope for contact with the rural population and greater opportunity to afford them what they need. Therefore, I submit that it is wrong to say that amalgamation would have been better. I believe this balance which has been kept is very well, because whereas the supervision and superintendence of the State Bank is there, there is at the same time this separate entity.

As I submitted, I take exception to the provision in clause 25 which postulates that the Board of directors of a subsidiary bank shall consist of the following

- (a) the chairman for the time being of the State Bank *ex officio*.
- (b) an officer of the Reserve Bank to be nominated by that bank;
- (c) not more than five directors to be nominated by the State

Bank of whom not more than three shall be officers of that bank;

- (d) two directors to be elected in the prescribed manner by the shareholders other than the State Bank "

You will find that 45 per cent of the shareholders are being only given a representation of two. You will have to make provision for that. I need not say that. Leaving that aside, you are having a certain percentage—5 directors to be nominated by the State Bank of whom three shall be—the maximum is three—officers of that bank. The Government would have been well advised if there had been provision for representation of agriculturists. The main objective is to extend rural credit. There should have been statutory representation for the agriculturists. I would plead humbly with the hon. Minister that a direction should be issued that, in these Boards, with the objective as I have envisaged, there should be representation to the rural population, strong and efficient representation so that they should be able to voice their views in the working of these banks. It would have been very much better if this had been made. Even now, I would submit that the non official element should be substantial. I submit the Government control is there; there should be sufficient representation for rural population.

An hon. Member from the Punjab pleaded that amalgamation would have been much better. At the same time he pleaded the case of the employees that different pay scale has been fixed for them. The hon. Minister said that it would raise the expenditure. I would certainly submit, when you have an integrated structure of the type and you call these banks to be subsidiary banks of the main bank, the State Bank to keep this discrimination between the pay of the employees of the main bank and the subsidiary banks looks unfair. This is my second point before this August House. That we have got to

[Shri Ajit Singh Sarhadi]

see logically. When you have called them subsidiary banks under the control of the State Bank, when you have a sort of an integrated structure of the kind, you make a discrimination—unhappy—in the pay of the employees of the main bank and that of the employees of the subsidiary banks. I submit, that does not look logical, nor reasonable, nor fair, nor just. I would say, something should be done. It may be done by the subsidiary bank itself by raising the pay level to some extent commensurate with its own capacity. I would respectfully submit that something is called for.

With these words, I support the Bill
16 hrs

Shri P. K. Deo (Kalahandi) By passing this legislation, we are supposed to put our seal of approval on the terms of the agreements that have been arrived at between the Ministry of Finance of the Government of India and certain banks which are going to be subsidiary banks when this Bill is enacted and brought into force. Though this will be a step in the right direction, I think the ideal thing would have been that these banks should all have been amalgamated with the State Bank of India.

The Committee of Direction on All India Rural Credit Survey had strongly recommended the amalgamation of the then Imperial Bank of India and certain State-associated banks and the formation of the State Bank of India. Even though we had thought that in course of time this amalgamation would take place after the State Bank of India had been formed, still nothing has been done in that right direction so far.

Taking into consideration the amount of control that is being exercised by the State Bank over these subsidiary banks, I think for all practical purposes they should be considered as branches of the State Bank of India. Even though for legal and technical purposes, they are separate entities, I personally feel that for administrative

convenience and for the benefit of the employees, and in the long run, for the benefit of the country, it would have been much wiser if all of them could have been amalgamated to form one strong United State Bank of India.

If there had been difficulty in arriving at that conclusion by negotiation with the various banks, I do not think there was any obstacle in the way of making the Patiala Bank a branch of the State Bank of India, as there was no private interest involved in that, and it was for all purposes a part of the State Department of the then Patiala Government and later, of the PEPSU Government.

The main argument that has been advanced by the Ministry for not making these banks as branches of the State Bank is that much saving would be effected in the shape of pay bills and establishment charges and so, in the long run it would be effecting a big saving in the shape of expenditure. But I cannot appreciate that argument especially when just an hour ago we have passed a legislation which empowers the State Bank to offer different terms and conditions of service to the employees of those banks whose business would be acquired by the State Bank. So there would be no difficulty if even at a later stage there would be the acquisition of the business of certain banks by the State Bank of India and separate terms and conditions of service different from those enjoyed by the employees of the State Bank, are offered to the employees of that bank whose business is going to be acquired. Secondly, by making these banks branches of the State Bank, we would be saving a lot in this direction. Now in a particular town, there may be an existing branch of the State Bank of India, and at the same time, even after the passing of this Bill, there would be the branch of the subsidiary bank. So, there may be two establishments. Instead of there being two establishments, there could be one establishment, that would be a branch of the

State Bank of India. Further, as has been rightly pointed out by my hon friend Shri Prabhat Kar, there will be a saving to a great extent in the top-heavy administration, because if we were to have separate entities, even though they may be subsidiary banks of the State Bank of India, still in the shape of managing directors and other big posts, the subsidiary banks have to maintain a big paraphernalia, and consequently, the expected big saving could not be anticipated.

Now, coming to the various clauses of this Bill, my hon friend Shri Ram Krishan Gupta pointed out that under clause 27, which deals with disqualifications for directorship, the question of deciding whether an offence amounts to moral turpitude or not would be decided by the State Bank of India. But I would like to make this correction that due consideration was given to this matter and it was rightly changed by the Joint Committee, and it was provided that the decision would finally rest with the Central Government, and the Central Government would be the proper authority to decide that matter.

Regarding this disqualification clause which debar certain persons from being directors of the subsidiary banks, I would like to draw the attention of the House to an amplification that has been made by the Joint Committee. The disqualification has been further amplified to include persons who have been dismissed or removed from the service of Government or a local authority or a corporation or a company in which not less than fifty-one per cent of the paid-up share capital is held by Government. So far as removal or dismissal from the service of Government is concerned, I have nothing to say. But to extend the scope of it to the local authority, I think, is too much, because local authority in this country means gram panchayats and municipalities also. From the growth of our gram panchayats and municipalities, we have

seen that unfortunately there has not been a proper growth in the democratic way. And there are various instances in which removal or dismissal from service has been made in a vindictive way, many party questions and political questions etc. crop up, and, therefore, the terms and conditions of service and security of tenure have not been well defined and developed in the case of the local authorities. So, if for any vindictive reason a person has been removed from the service of a municipality or a gram panchayat, he should not be debarred from becoming a director on the board of directors of the subsidiary bank.

Coming to clause 38 this clause has been provided to simplify the procedure of acquisition. In my today's speech, on the previous Bill, I pointed out that delegation of full authority to Government to expedite matters by saying that statutory provisions inconsistent with governmental directions would cease to apply was hardly any simplification of procedure. Suppose there is a conflict between the statutory provisions and the governmental direction. Then according to this law, the governmental direction would prevail. I think the whole intention is that as soon as these banks become subsidiary banks, the employees of those banks should be deprived of the benefit of the various statutory provisions like the Industrial Disputes Act. If you consider the interest of the employees, this legislation has put them in jeopardy. I feel that even though we are not going to pay them the same emoluments and offer them the same terms and conditions of service as have been enjoyed by the employees of the State Bank of India, we deprive them of certain of their inherent rights which they have been enjoying so far under the Industrial Disputes Act.

As regards sub-clause (8) of clause 38 I would like to draw attention to

[Shri P K Deo]

one thing, viz., that at least the terms and conditions of service offered to the employees of the subsidiary banks should not be inferior to those enjoyed by them previously. Provision has been made in this Bill to the effect that if they accept the terms and conditions offered by the subsidiary banks, there would be no case for them under any previous agreement for compensation or in respect of retrenchment or gratuity. Those things won't apply. I feel that as these persons would be discharging the same duties as those of the employees of the State Bank, they should have the same benefits and same terms and conditions of employment as those enjoyed by the State Bank employees.

Secondly, they will not have any bargaining power. This is a specialised job. The duty of a bank employee is something specialised and technical, and employment opportunities are also very much limited in this field in this country. At the fag-end of their career if they are out of job, where can they go? Even if they are offered inferior terms and conditions, they are bound to accept them. So in all fairness I suggest that this august House as the guardian for the protection of the various rights of individuals should see that some provision is made to the effect that at least inferior conditions of service should not be offered to them.

Regarding continuity of their service for the purpose of calculation of pensions, provident fund and gratuity, their past service should be taken into account.

Coming to clause 45, I do not think it is an adequate safeguard against action by persons who would be impeding the full and effective transfer of the existing banks. Some strict and penal provision should have been provided there to punish those who would be acting in a manner prejudicial to the interest of transfer or who would be putting some impediment in the

process of transfer, because there might be interested parties and big interests who may not be liking this transfer taking place. Such persons should be properly dealt with, for which strict penal provisions should be made in the Bill.

Shri Easwara Iyer (Trivandrum)
Sir, some general comments on this Bill have been made by many hon. Members, and I do not wish to repeat them. It makes me rather unhappy to read through the provisions of the Bill, as it has emerged from the Joint Committee. I am not going into the drafting mistakes that have been committed. But I would respectfully submit to this House that more anxious consideration should have been bestowed upon the various provisions of this Bill by the Minister in charge of the Bill.

Regarding the general principle of amalgamation of the various banks that have been scheduled here, my hon. friend the Minister in charge, would say that it is impossible to accept, that it is contrary to the treaty or agreement with the various banks and, therefore, we need not press that point of view. I fail to understand how banks which were public limited companies under the Companies Act have become statutory banks under this enactment, where provision has been made for payment of compensation to the shareholders in money value thereof and in case they do not accept the money, they would have to be allotted shares in lieu thereof. I fail to understand how Government are debarred from merging or amalgamating all these banks with the State Bank. They say the agreement or treaty would stand in the way. Of course, they might have tried to persuade these various banks to come to an arrangement and the persuasion has failed. But I would submit this where compensation is payable in money value, why not we go a step forward and say 'we pay compensation absorbing all the shares; the

entire group of banks, whether it is the Bank of Patiala or the Travancore Bank, shall merge in the State Bank of India?

The title of this Bill is rather misleading. Of course, it is a very good looking title, in the sense that it has raised the status of the various banks to that of the State Bank of India. But the title is "State Bank of India (Subsidiary Banks) Bill." If the hon. Minister says that they cannot be absorbed or merged in the State Bank of India, you call it the "Statutory Banks Bill, 1959." Of course with the State Bank paying compensation its control over these banks is there. That is one thing that I would like to submit.

Regarding the various provisions in this legislation, I am led to believe that so far as the employees of these banks who might be absorbed are concerned, they are given an inferior position, inferior position in the sense that they will not become State Bank of India employees but will continue to be subject to the control of the State Bank of India getting the same terms and conditions of service according to the hon. Minister, which will not be less advantageous. If the employees of the banks absorbed by the State Bank of India under the State Bank of India (Subsidiary Banks) Bill cannot get the same conditions of service as those of the State Bank of India employees it makes one rather unhappy.

Why is it that such a provision cannot be made? These employees who were working with these banks are nevertheless subject to the control of the State Bank of India with regard to their terms and conditions of service, according to clause 63. It has been referred to by my hon. friend Shri Prabhat Kar. If these employees will be subject to the control of the State Bank and still will not get the status of the employees of the State Bank, then, it seems to me that it is just like—if I may be allowed to use the expression in common parlance—a

marriage taking place and a wife going to the family of the husband and not getting the status or becoming a member of the family. We will just marry the banks into the family of the State Bank but we won't confer the status of a member of that family.

Dr. B. Gopala Reddi: That is so in Nair families.

Shri Easwara Iyer: I am sorry he has not read Hindu law. You will find that under the Hindu law the wife goes into the *gotra* of the husband's family. So, please let him not contradict me on any question of law. It would be useful for him to learn Hindu law. I am only saying that it is restricted. Even if it is the *Marumakkatayam* law he will have to read the Nair Act. It is not so in a Nair family that the wives will not become members of the family. I will tell you that.

I am only using the expression of common parlance. So I would say it is only the legal consequence of such an enactment whereby you make these banks statutory ones under the control and supervision of the State Bank to give them the benefit of all the terms and conditions of the employees of the State Bank of India. It will prevent disharmony between the employees. I am not saying that there will be disharmony. But I would say that the State Bank employee would always consider himself superior though both are doing the same category of work or functions. They may be equal; but there will be some heart-burning on the part of the employees of these subsidiary banks that they are in a sort of inferior position. Why that distinction should be maintained by this enactment is a matter which the hon. Minister may explain.

I would like to invite the attention of the hon. Minister to certain provisions of the enactment. It is provided that a Tribunal should be appointed for determining the compensation and that the Tribunal shall consist of such high officials like retired Judges of the

[Shri Easwara Iyer]

Supreme Court and the High Court. That Tribunal is to decide in cases of dispute as to the value of the compensation payable to any contesting party. And that Tribunal is debarred by clause 16 from looking into the account books of the bank—leave alone the question of allowing the parties to inspect these accounts. If the Tribunal itself is debarred from looking into the account books how is it possible to arrive at the compensation that is payable? When the question to be determined by the Tribunal is the compensation in money value thereof, is it not necessary or is it not a condition precedent that the Tribunal should also be invested with the knowledge and information necessary for arriving at a correct conclusion by looking into the accounts of the bank? It is a matter for the hon. Minister to consider.

Of course the hon. Minister may stand up and say, it may not be desirable in banking practice for one party to know the condition of accounts of another party and, naturally, the banks should always maintain a sort of secrecy regarding the accounts of its customers. Certainly, it is a very desirable thing. But when we come to the extraordinary question of determining the compensation that is payable with respect to the liquid assets available in respect of a bank and the Tribunal has to decide it, what is it that prevents the Tribunal from looking into the accounts—leave alone the question of inspection to be allowed to parties?

If you look to section 123 of the Evidence Act, you will find that documents relating to the affairs of State cannot be produced in court. That is what is stated in the Evidence Act. But the court must decide the question whether any particular document relates to the affairs of Government, and, for that purpose, the court, being a limb of the Administration of Justice, can inspect the document and find out whether it is detrimental to the inter-

ests of the public to disclose it. If it is detrimental to the interests of the public the court will not disclose it. If persons of the high calibre of Supreme Court Judges and High Court Judges who have been appointed as members of this Tribunal are to be prevented from looking into the books of account for the purpose of evaluating the compensation that is payable to a particular person or to a group of persons on the plea that the books of account are matters of a confidential nature, then, it is a thing which is jarring to one's sense of fairness.

It may be a confidential document but it will not in any way be detrimental to the interests of the public. My respectful submission is that suitable amendments may be introduced to enable the Tribunal to inspect and to compel production of the books of account for its own inspection to arrive at a correct valuation of the compensation that is payable, if it finds necessary to do so. Of course I do not say that in every case the Tribunal should call for the books of account. It will be rather a hardship on the banks to call for books of account necessary for the day to day business of the banks. But the Tribunal may be invested with the power, in cases where valuation is not possible without the books of account, to have those books produced and to see them. An oath of secrecy may be taken before the Tribunal so that nothing could be divulged outside and if the proceedings of the Tribunal in such cases is taken in camera with respect to the parties therein I do not think it will become public anyway.

The other provision in the Bill to which I would invite the attention of the hon. Members of this House is clause 63, which confers powers on the State Bank officials to determine the conditions of service of the employees. Sub-clause (m) reads:

"the conditions and limitations subject to which the subsidiary bank may appoint officers, advisers and other employees and fix

their remuneration and other terms and conditions of service;"

This leaves blanket power and unguided power in the hands of the State Bank of India to fix the conditions of service of the employees.

Of course, my friend expressed the doubt here whether it would not hit the provisions of the Industrial Disputes Act where the terms and conditions of the employees are governed by the Industrial Disputes Act, and whether this clause is not inconsistent with the Industrial Disputes Act.

Curiously enough, I looked into the Schedule also. Generally, we slip over the schedules. I looked into the Schedule because it is provided in clause 64 that—

"The enactments specified in Parts I to VII of the Third Schedule shall be amended in the manner directed in the first column thereof and such amendments shall take effect on the dates specified in the second column thereof."

Certain enactments are amended by clause 64 and the Third Schedule is put in. This is a very curious way of making amendments to other enactments. Part II of the Third Schedule deals with the definition of a banking company. It says:

"'banking company' means a banking company as defined in section 5 of the Banking Companies Act, 1949, having branches or other establishments in more than one State, and includes the Reserve Bank of India, the State Bank of India and any subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959."

Let us read together the definition in the Industrial Disputes Act and this together. Let us read section 63 along with the so-called amendment of the Industrial Disputes Act which becomes part and parcel of this enactment. Both are inconsistent with each

other. Of course, it needs a big lawyer to find whether one over-rides the other or has to be harmoniously interpreted. I think my hon. friend over there, Shri Pattabhi Raman, will help me in respect of this matter, to end all these difficulties. Why not say in the very body of section 63 itself: "Notwithstanding or without prejudice to the provisions contained in the Industrial Disputes Act of 1949....."? Why all these inconsistencies? Why cannot all these amendments proposed be contained in the body of the enactment so that the hon. Members may go through them? It is all put in very small print and it takes quite a lot of time to even read it and it is much more difficult to understand it with reference to the various enactments. Of course, it is our business to learn all these things but the time is very short. Honestly confessing before you, I have to say that I have not been able to correlate it with respect to the various enactments when we find a number of enactments are sought to be amended in the Schedule. This is not a desirable way to amend enactments unless the provisions are contained in the body of the enactment itself. I am not concerned with the general aspects. It is certainly a desirable Bill. As my hon. friend Shri Prabhat Kar has said, it is a step in the right direction but I would certainly plead that we could have gone a step further and have said that these banks have become part and parcel of the State Bank of India. Where is the difficulty? What agreement would prevent you when you are the masters here to legislate? You may say: we have got a sort of convention and agreement and it would be rather undesirable for us to commit breach of the agreement that we have entered into with the various banks. But then why enter into such agreements which prevent the amalgamation as recommended by the Rural Credit Survey Committee? Such an agreement is very dangerous and very explosive. We must be careful about such agreements at least in future and the hon. Minister may soon come

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forward with a Bill which will make these subsidiary banks also non-existent so that they may become part and parcel of the State Bank of India

Shri Morarka (Jhunjhunu): One criticism made both in the minutes of dissent as well as the speech here is that instead of forming subsidiaries all these banks could have been straightaway amalgamated or merged with the State Bank of India and in support of their argument, they quote the Rural Credit Survey Committee report. It is true that it recommended so but for a very good reason, the Government decided to keep the separate entities of these banks. There was a strong representation made to the Government against the nationalisation or taking over of these banks and the main argument of the persons who represented this view was that these banks serve the special needs of each individual locality and that if these banks were straightaway merged into the State Bank then those local needs would be neglected by this big institution. Therefore, a strong plea was made that these individual banks should not be touched by the Government but should be allowed to exist as they were. At the same time, Government felt the necessity of exercising some more control over these banks because they were acting as the agents of the States managing the treasury business etc. The only way that the Government could find in order to meet the criticism of the people in order to allow the banks to be useful to these localities was to create these subsidiary banks. So far as the creation of these subsidiary banks is concerned, I think the Government has taken a very wise step and that will serve the purpose or meet the criticism of these people. But what I cannot understand is this cumbersome method of creating subsidiary banks. Why were the majority of shares in those banks not acquired by the State Bank of India and why were the names of these Banks not changed

as the State Bank of Jaipur or the State Bank of Bikaner or Patiala and so on?

That procedure, in my humble opinion, would have been far simpler and it would have dispensed with the necessity of passing this Bill. What I feel is, in those banks you are following a principle of public co-operation. You are allowing the public to hold shares to the extent of 45 per cent. You are also giving a representation to those 45 per cent shareholders on the Board of Directors to the extent of two directors. If you do that, then it is necessary that all other things and other rights which belong to the shareholders in a corporate body should also automatically flow.

Now, for example, here what is sought to be done is that the auditors would be appointed by the State Bank in consultation with the Reserve Bank, but those auditors would make a report not to the company, namely the subsidiary bank, but to the State Bank. They would not make a report, they would not be responsible to the shareholders even though there may be as many as 45 per cent shareholders who are outsiders, who are not on the State Bank, the Reserve Bank or the Central Government. In such a case, I think the sound principle is that any bank or any company could be made a subsidiary of the State Bank and then allow that subsidiary to function as an ordinary banking institution, as a commercial bank or as any other corporate body. I think that procedure could have been far simpler and that would have created a lot of initiative even in the Board of Directors of those subsidiary banks.

What happens here is this. At every stage you will find that there is interference by the State Bank. And, more than the State Bank, there is the approval required of the Reserve Bank and also, in certain cases, the approval required of the

Government. Sir, the State Bank itself is a special type of institution, and if for the State Bank you require a certain type of detailed control both by the Reserve Bank and the Government I can understand it; but for the subsidiary of the State Bank to prescribe a degree of control more detailed than what you have for the State Bank itself is something which I cannot understand.

The Reserve Bank, as you know, after all is a banker's bank. It has to exercise a certain moral influence on all the banking institution of the country. It has to apply its brakes against undue expansion of credit. It has to give advice from time to time, and it has also to act in many matters as a judge over the activities of banking in this country. But if the Reserve Bank itself is made a party to many of the decisions which the subsidiary banks would be taking from time to time, then the Reserve Bank is put in a very compromising position. So the Reserve Bank should have been kept aloof from the detailed working of the subsidiary banks and the entire management of the subsidiary banks should have been left, in the first instance, to the Board of Directors. If you want to provide some safeguard in some rare cases, you could have said "in consultation with the State Bank"; but there is no justification at all for bringing the Reserve Bank in so far as the management, capital structure, issue of shares etc. are concerned. The Reserve Bank should have been kept completely away. Now, here, for everything the approval of the Reserve Bank shall have to be taken so much so even for the appointment of a General Manager the Board of Directors of a subsidiary bank can do nothing, they are not in the picture at all. The State Bank can make an appointment in consultation and with the approval of the Reserve Bank. That is a thing which, apart from anything else, would not leave any initiative in the hands of the Board of

Directors. After all, what is the Board of Directors? Even on the Board of Directors you have the nominees of the State Bank of India and the Reserve Bank. Now the Joint Committee in its wisdom has thought it proper to put one representative of the Central Government also. After all, the representatives of the outside shareholders are only two and so the State Bank or the Reserve Bank or the Central Government could always convey their wishes and always have their wishes carried out through the board of directors. Then, why put so much of weightage on the State Bank and why circumscribe the initiative of those directors in so many other ways?

I therefore feel that the Joint Committee has not paid due attention to this aspect, namely, whether there would be enough initiative left or whether the main purpose for which the identity or the individuality of the subsidiary banks has been maintained would be served or not; that is to say, whether these banks would be able to function as hitherto. Would they be able to carry on their business, would they be able to carry on their policy which they have been following till now? If that purpose is not served, then the main thing for which the subsidiaries are created would be defeated. The whole management of these banks will be tied in the red tape and everything will be subject to the sanction or the approval of the Government or the Reserve Bank.

Then I feel that in a few places the drafting of this Bill also requires some close scrutiny and there again my complaint and my grievance are against the Joint Committee. It is true that many of the provisions in this Bill have been copied from the State Bank Act. But even there I think that if that Bill was passed somewhat in a hurry and we could not look into certain things at that time, yet, at this time those mistakes should have been corrected. I shall give you

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one or two examples. Take, for example, clause 24(2). This clause deals with management. Sub-clause (2) says:

"(2) Subject to any such directions and instructions, the general superintendence and conduct of the affairs and business of a subsidiary bank shall, as from the appointed day, vest in a Board of Directors who may, with the assistance of the general manager, exercise all powers and do all such acts and things as may be exercised or done by that bank."

Now, the first two lines say "general superintendence and conduct of the affairs of the business of these banks". When you go a little later, the clause says that with the assistance of the general manager it can exercise all powers and do all acts. The real position is that subject to the control and supervision of the board of directors, the officers and the general managers, etc., carry on their business. The Board of Directors always exercises a general superintendence and control over the affairs of the banks. I do not find fault with the substance but I think that there is some room for improvement of this drafting. If the Joint Committee had applied its mind more carefully perhaps it could have made the drafting a little more elegant.

Then I come to another clause—clause 34(4). If you see this clause you will find that here almost a veto power is given to one director. If, in the opinion of that director, the interests of the State Bank are likely to suffer or are not likely to be protected at a particular meeting, he may give notice. Remember this. As I said a little earlier, the constitution of the board itself is such that except two persons who represent the members of the public, all other persons are nominees either of the State Bank or the Reserve Bank or the Central Government. But even so, under clause 34(4), if any of the directors feel that

at a particular meeting the interests of the State Bank are not likely to be looked after or are likely to suffer, then, the director can give a notice in writing and all the proceedings will have to be postponed. They do not care for the interest of the subsidiary company at all. This Board of Directors is for the subsidiary bank, in which as much as 45 per cent of the shares can be held by outsiders. What about the interest of that company? That is the paramount interest which the Board of Directors have to safeguard. Without talking of that interest, they say, "if the interest of the State Bank is likely to suffer"—almost a veto power is given to one director who can give notice in writing, and, if he does that, the meeting will have to be postponed or the proceedings of the meeting will have to be cancelled.

Then, kindly read clause 38(3) and see what wide powers are given. Clause 38 deals with the acquisition of business of other banks. That is, if the subsidiary bank wants to acquire that banking business, if the State Bank thinks it desirable or if the Reserve Bank directs that that business may also be acquired, the subsidiary bank will be bound to take over that business. Sub-clause (3) says

"(3) Notwithstanding anything contained in this Act or any other law for the time being in force, any instrument regulating the constitution of the banking institution concerned, the terms and conditions as sanctioned by the Central Government shall come into effect on the date specified by the Central Government in this behalf in the order of sanction and be binding upon the subsidiary bank and the banking institution concerned as well as upon the shareholders (or, as the case may be, proprietors) and creditors of that banking institution."

That means, whatever law we may pass under this Bill or any other Act for the time being in force, if the

executive order sanctioning acquisition specifies certain conditions, they would be paramount and they would override all the legislative enactments that have been made till then. That is a point which deserves the consideration of this House. I do not know the constitutional propriety of this clause. I believe my hon friend, Shri Nathwani, is going to deal with this point and so I do not want to say much about it. But to a layman like me, it appears that these are very wide powers given to the executive to override the legislative enactments—provisions under this Bill as well as any other law for the time being in force.

I now come to the chapter on accounts and auditing. Here again, most of the provisions are copied from the State Bank, but still this thing suffers from lack of clarity as well as elegance. The very first clause 39 says that a subsidiary bank shall cause its books to be closed and balanced on the thirty-first day of December in each year. This is a matter which must be regulated by rules, regulations and things like that. There is no necessity for a provision in the Bill to say that the bank shall close its books and balance its accounts on a particular day. Yet, a very vital thing, viz., "each subsidiary shall prepare a balance sheet and profit and loss account" is not found here. Though it says that the auditors will be supplied with copies of the balance sheet and profit and loss account, there is no provision that each subsidiary bank shall prepare a balance sheet and profit and loss account. Matters which in my opinion could have been regulated by rules have been embodied here, but matters which are important and vital have been completely left out.

I may invite your attention to clause 41, sub-clause (5). This sub-clause says:

"The auditor shall hold office for such term not exceeding one year as the State Bank may fix at the time of his appointment."

Where are they appointed for less than a year? In which company, which corporation, are the auditors appointed for less than a year? The minimum period, the least period for which an auditor should be appointed, is one accounting year. If that is so, I do not see much meaning in sub-clause (5). It may be, the hon Minister may explain, that in the first instance the appointment of auditor may be for a smaller period. But, surely, that should be provided in a proper way. You cannot appoint more than one auditor for the same year—one for six months and another for another six months and so on.

Then, if you kindly see sub-clause (4)(b) of clause 41, it says

"may, at the expense of that subsidiary bank, employ accountants and other persons to assist him in investigating such accounts,"

Now, the auditors are appointed for a certain annual fee. That fee is paid to them for auditing the accounts of the company, and that is inclusive of all expenses that they are likely to incur except the out of pocket expenses which they may incur for travelling etc. Now, merely because you find such a provision in the State Bank of India Act, you have put it word by word, comma by comma, here. What is the meaning of this? There are more than 30,000 companies in this country and each company is audited by an auditor. I do not think any company has made the provision that at the expense of the company the auditors should appoint as many accountants as the auditors want for this purpose.

Mr. Chairman: May I just say some thing? I do not know whether the hon Member was present during the general discussion when the Bill was being remitted to the Joint Committee. All these details which the hon Member is referring to would have been quite appropriate at that stage. Now it has come out of the Joint Committee only the changes that have

[Mr. Chairman]

been made by the Select Committee, or not made by the Select Committee, should be referred to. If we now have a detailed examination of each and every clause and even the procedure, I think it will take much longer time.

Shri Morarka: I do not propose to take much time. As regards my being present, I was hoping that since the Bill was going to the Select Committee all those points would be ironed out. But I cannot hide my disappointment when I see the Bill as it came out of the Select Committee. I went through the Report and found that none of the details has attracted the attention of the Select Committee. That is the reason why I am taking your time in going through the details.

I would appeal to the hon. Minister that at least these auditors, director and such other persons should be made responsible to the shareholders, as long as there are shareholders other than the State Bank. You cannot impose the State Bank as a super-shareholder. Of course, it is a majority shareholder and so you have given it the right of more than what the majority can have. You have given them the right of nominating a disproportionately large number of directors. You have given to the 45 per cent shareholders the right to elect only two directors and to the 55 per cent shareholders you have given the right to nominate the remaining 7 or 8 directors. Be that as it may, I have no grievance about it. But, still the shareholders must get copies of the balance-sheet. The shareholders must know what is going on in the bank or company of which they are the shareholders. There is a provision for holding a general meeting. But nobody says what would be the notice

How many days' minimum notice would be given to the shareholders before a general meeting is convened or held? I mean to say that fundamental things are left out. No step or care is taken to protect the interests

of the shareholders. It is as if they are made shareholders by sufferance, if you want to take the shares on these terms take them, we are not at all interested to give you. That type of attitude is not proper.

So, while I welcome very much the idea of creating subsidiary banks with a view to serve individual and local interests of those localities, I cannot refrain from remarking that the Bill suffers from noticeable lacunae and deserves the serious consideration of the hon. Finance Minister to plug those loopholes as far as possible.

An Hon. Member: Create subsidiary shareholders.

Shri Nathwani (Sorath) Sir, since I am invited by my hon. friend, Shri Morarka, to say a few words on the constitutional aspect of clause 38, I will say that the provisions of clause 38 offend article 31, sub-section 2 of the Constitution. But before I do so, I would like to say a word about drafting. Several lapses have been pointed out and I do feel that more attention should be paid to the drafting. My hon. friends say that the Joint Committee has almost ignored this aspect. But it is not so. At least I find that one hon. Member, Shri Subman Ghose, has written a note of dissent drawing pointed attention to the loose drafting. I believe that elegance is not the virtue only of tailors and cobblers, but also of legal drafting and we should be alert enough to bear this aspect in mind because as Shri Ghose has pointed out it is the Parliament and, particularly, the lawyer Members of the Parliament who have sometimes to bear the brunt of this criticism outside this House.

I say that the provisions of clause 38 offend article 31, sub-section 2, for the following reason. If you look at sub-clauses (2) and (3) of clause 38, you will find that it provides for the acquisition of a banking institution. Sub-clauses (2) and (3) give power

to the Board of Directors of the subsidiary bank concerned and the directorate or management of the banking institution to fix the terms and conditions relating to the acquisition and after the Central Government has accorded its sanction they become binding. My hon friend referred to the sweeping powers that are given to these authorities, but my grievance is that they do not lay down the principles on which compensation is to be paid for such acquisition. The terms and conditions will certainly provide for the compensation but it is for the legislature itself either to fix the amount of compensation or to lay down the principles governing the award of such compensation and neither of it is being done by sub-clauses 2 and 3 of clause 38. That is my grievance.

Article 31, sub-section 2, provides that no property shall be compulsorily acquired unless the law provides for compensation for the property so acquired and either fixes the amount of compensation or specifies the principles on which, and the manner in which, the compensation is to be determined and given. In clause 38 there

is a subsequent sub-clause, sub-clause 6, which provides for the manner of giving compensation, but the principles of compensation are nowhere laid down in sub-clauses 2 and 3.

It merely delegates the power to certain authorities mentioned in clauses 2 and 3. Who is to determine the amount of compensation—the board of directors of the subsidiary company and the directors of the banking institution? And, of course, the Central Government is there. But that is not the same thing as laying down the principles on which the compensation is to be paid.

I know that clause 38 is a reproduction of section 35 of the State Bank Act. There also similar provisions are laid down. But there is no reason why, if our attention is drawn to the provisions being unconstitutional, we should pass it in the way or in the manner it is worded. This is all that I have to say.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August 12, 1959/Sravana 21, 1881 (Saka).

[Tuesday, August 11, 1959/Sravana 20, 1881 (Saka)]

ORAL ANSWERS TO QUESTIONS

| S.Q. No. | Subject | COLUMNS |
|----------|---|---------|
| 286 | Chinese Army Personnel from Tibet | 1617-20 |
| 287 | Tibetan Refugees | 1620-27 |
| 288 | Hindustan Antibiotics Ltd. | 1627-28 |
| 289 | Pyrite deposits of Shahabad | 1628-30 |
| 290 | Production of by-products and chemicals from Sambhar Lake | 1530-31 |
| 291 | Nagar-Haveli and Dadra issue | 1631-34 |
| 292 | Laos | 1634-39 |
| 293 | Central Institute for Machine Designing, Ranchi | 1639-40 |
| 294 | Fertilizers factory in Andhra Pradesh | 1641-44 |
| 295 | Manufacture of motor cycles | 1644-46 |
| 296 | Export of glass and ceramic products | 1646-47 |
| 297 | Haj Pilgrims | 1647-49 |
| 300 | Banking Companies Act | 1649-51 |
| 301 | Newspaper factory in U. P. | 1651-54 |
| 304 | Salt Experts Committee | 1654-56 |

WRITTEN ANSWERS TO QUESTIONS

| S. Q. No. | Subject | COLUMNS |
|-----------|---|---------|
| 298 | Contribution to Provident Fund | 1656 |
| 299 | Calcium caroxide | 1656-57 |
| 302 | International Exhibition of Documentary and Short Films | 1657 |
| 303 | Publication of works of National Leaders | 1657-58 |
| 305 | Violation of India's Air Space | 1658-59 |
| 306 | President Nasser's Visit to India | 1659 |
| 307 | Integrated Heavy Machine Building Plant, Ranchi (Bihar) | 1659-61 |
| 308 | Coal and Railway Colliery | 1661 |
| 309 | Slum Clearance Schemes | 1661-62 |
| 310 | Migration of Tribals from Chittagong to Tripura | 1662 |
| 311 | Ajudhya Textile Mills, Delhi | 1662-63 |
| 312 | Admission of China to U.N. | 1663 |

WRITTEN ANSWERS TO QUESTIONS—contd.

| S.Q. No. | Subject | COLUMNS |
|------------|---|---------|
| 313 | Shifting of Central Government Offices from Delhi | 1663-64 |
| 314 | Indian Trade Delegation to Iraq | 1664 |
| 315 | Uranium | 1664-65 |
| 316 | Displaced persons from East Pakistan | 1665 |
| 317 | Manufacture of Small Cars | 1665-66 |
| 318 | Barter deal with U.S.A. | 1666 |
| 319 | Film production Bureau | 1666-67 |
| 320 | Indians kidnapped by Pakistanis | 1667-68 |
| 321 | Accident in Jaitwara Gairo mine | 1668 |
| 322 | Violation of India-Goa Border | 1668-69 |
| 323 | A.I.R. auditorium in Delhi | 1669 |
| 324 | Use of pozzolans in construction works | 1669-70 |
| 325 | Jute | 1670 |
| 326 | Doles to displaced persons | 1670-71 |
| 327 | Dandakaranya area | 1671 |
| 328 | Zinc and Lead Smelter Plant in Udaipur | 1671-72 |
| 329 | Export of 'Chikan' cloth | 1672 |
| 330 | Nagpal Fertilizers and Chemicals Limited | 1672-73 |
| 331 | Wageboards for industries | 1673-74 |
| 332 | Mayumdar Tribunal Award | 1674-75 |
| 333 | Chilka Land Reclamation Scheme | 1675 |
| U.S.Q. No. | | |
| 515 | Plan publicity in Punjab | 1675 |
| 516 | Gita Colony, Delhi | 1676 |
| 517 | Board for light music audition | 1676 |
| 518 | Central Assistance to Bombay State | 1676-77 |
| 519 | Plan Projects in Bombay State | 1677 |
| 520 | Allotment to Bombay for Second Five Year Plan | 1677 |
| 521 | Development of Technical Training in Bombay State | 1678 |
| 522 | Ambar Charkhas | 1678-79 |

WRITTEN ANSWERS TO
QUESTIONS—contd.

| U.S.Q. No. | Subject | COLUMNS |
|---------------|--|---------|
| 523 | Pharmaceutical Plant . | 1679 |
| 524 | Ambar Charkha . | 1679-80 |
| 525 | Employment of displaced Persons in Tripura . | 1680 |
| 526 | Exhibition at Indian Trade Centre, Cairo . | 1680-81 |
| 527 | Closure of textile units in Amritsar . | 1681 |
| 528 | Loss of man-days in tex- tile, jute and Engi- neering Industries . | 1681-82 |
| 529 | Port and Dock Workers . | 1682 |
| 530 | Newsprint expert from West Germany . | 1682-83 |
| 531 | International Film Festi- val at Berlin . | 1683 |
| 532 | Employment of women . | 1683-84 |
| 533 | Asian-African Legal Con- sultative Committee . | 1684-85 |
| 534 | Pilgrims from India to Pakistan . | 1685 |
| 535 | Non-payment of dues by displaced persons . | 1685-86 |
| 536 | Social Security Scheme for industrial workers . | 1686 |
| 537 | Environmental sanitation in N.E.F.A. . | 1686-87 |
| 538 | Recording of speeches of eminent leaders . | 1687 |
| 539 | Partition Committee . | 1687 |
| 540 | U. N. Economic Com- mission for Asia and Far East . | 1688 |
| 541 | Ghani oil and neem oil scheme in Punjab . | 1688-89 |
| 542 | General Agreement on tariff and trade . | 1689 |
| 543 | Indo-China . | 1689-90 |
| 544 | Evaluation and Implemen- tation Committee . | 1690 |
| 545 | Irregular allotments of land . | 1690-91 |
| 546 | Second Five Year Plan . | 1691 |
| 547 | Ban on Indian films in Pakistan . | 1691-92 |
| 548 | Accommodation for Central Government Offices in Delhi . | 1692-93 |
| 549 | Training of workers . | 1693 |
| 550 | Cosmic Ray Research Station . | 1693-94 |
| 551 | Progress Report of the Second Five Year Plan . | 1694 |
| 552 | Export of Indian footballs . | 1694-95 |

WRITTEN ANSWERS TO
QUESTIONS—contd.

| U.S.Q. No. | Subject | COLUMNS |
|---------------|---|-----------|
| 553 | Ancillary unit for Steel Plant Components aro- und Jamshedpur . | 1695-96 |
| 554 | Indian Institute for Industrial Designs . | 1696 |
| 555 | Local Productivity Councils . | 1696-97 |
| 556 | Trade agreement with France . | 1697 |
| 557 | Trade between India and Japan . | 1697 |
| 558 | West Coast Paper Mills, Dandail (Mysore) . | 1697-98 |
| 559 | Soda Ash . | 1698 |
| 560 | Industrial Estate at Purli- Vajinath, Bombay . | 1699 |
| 561 | Import of copra . | 1699-1700 |
| 562 | Handloom Industry in Kerala . | 1700-01 |
| 563 | Development of Small Scale Industries . | 1701 |
| 564 | Cotton-seeds oil factories . | 1701-02 |
| 565 | Supply of fertilizers to tea gardens . | 1702 |
| 566 | Scheme of compulsory savings . | 1702 |
| 567 | Delhi Shops and Esta- blishments Act . | 1703 |
| 568 | Steel processing factories . | 1703 |
| 569 | Employees' State In- surance Corporation . | 1704 |
| 570 | Facility Centre at Belgium . | 1704 |
| 571 | Exhibition in Hamburg . | 1705 |
| 572 | Department of industrial Co-operatives in Mani- pur . | 1706 |
| 573 | Buildings for Central Government Offices . | 1706 |
| 574 | Social Customs . | 1706-08 |
| 575 | Parents . | 1708 |
| 576 | Bonus to tea plantation workers . | 1709 |
| 577 | Strike in factories . | 1709-10 |
| 578 | New markets for jute manufacturer . | 1710 |
| 579 | Training in Ambar Char- kha . | 1710 |
| 580 | Tea gardens in Himachal Pradesh . | 1710-11 |
| 581 | Bonus to sugar factory workers . | 1711-12 |
| 582 | Industrial disputes in Public Sector . | 1712 |

WRITTEN ANSWERS TO QUESTIONS—contd.

| U.S.Q. No | Subject | COLUMNS |
|--------------|--|---------|
| 583 | Export of handicrafts . | 1712 |
| 584 | Kuth oil . | 1712-13 |
| 585 | Export of tea to U.S.A. | 1713 |
| 586 | Rickshaw pullers in Agar- tala . | 1713-14 |
| 587 | Land Purchase Scheme in Triupra . | 1714 |
| 588 | Minimum wages for workers of C.P.W.D. . | 1714-15 |
| 589 | Heavy Electricals Limi ed, Bhopal . | 1715 |
| 590 | Indus riri Estate in Delhi | 1715-16 |
| 591 | Terrace-cultivation in Tripura . | 1716 |
| 592 | Sindri Fertilisers and Chemicals Ltd. | 1716-17 |
| 593 | Employment Exchanges | 1717 |
| 594 | Employment Exchanges | 1717-18 |
| 595 | Shifting of Central Government Office to Simla . | 1718-19 |
| 596 | Electric Fans | 1719 |
| 598 | Gifts to Tibetan Refugees | 1719 |
| 599 | Rest houses for Tibetan Refugees | 1720 |

MOTION FOR ADJOURN- MENT

1720-22

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Shri M. Elias regarding the damage reported to have been caused by floods in the districts of Howrah and Hooghly.

PAPERS LAID ON THE TABLE

1722-23

- (1) A copy of Directors' Report of the Indian Rare Earths (Private) Limited for the year ended the 31st March, 1958
- (2) A copy of each of the following rules framed under the proviso to Article 309 of the Constitution :-
 - (i) The rules regulating direct recruitment to the Central Electrical Engineering Service Class I published in Notification No. G. S. R. 36, dated the 10th January, 1959.
 - (ii) The Rules regulating direct recruitment to the Central

PAPERS LAID ON THE TABLE—contd.

COLUMNS

- Electrical Engineering Service, Class II published in Notification No. G.S.R. 37, dated the 10th January, 1959.
- (iii) The Rules regulating direct recruitment to the Central Engineering Service, Class II, published in Notification No. G.S.R. 38, dated the 10th January, 1959.
 - (iv) The Rules regulating direct recruitment to the Central Engineering Service, Class I, published in Notification No. G.S.R. 39, dated the 10th January, 1959
 - (3) A copy of the Companies (Issue of Share Certificates) Rules, 1959 published in Notification No. G.S.R. 798 dated the 11th July, 1959, under sub-section (3) of Section 642 of the Companies Act, 1956
 - (4) A copy of Notification No. G.S.R. 548 dated the 9th May, 1959 under sub-section (3) of Section 642 of the Companies Act, 1956, making certain further amendments to the Companies (Central Government's) General Rules and Forms, 1956.
 - (5) A copy of Notification No. G.S.R. 607 dated the 23rd May, 1959, under sub-section (7) of Section 59 of the Mines Act, 1952, making certain amendments to the General Rules Mines Rules, 1955

RELEASE OF A MEMBER

1723-24

The Speaker informed Lok Sabha that he had received a communication dated the 7th August, 1959 from the Superintendent, Central Jail, Cannanore intimating that Shri K. P. Kuttukrishnan Nair was released from the jail on the 7th August, 1959.

PETITION PRESENTED

1724

Shri S.A. Martin presented a petition signed by a petitioner regarding the Welfare of Scheduled Castes and Scheduled Tribes in India

COLUMNS

BILL PASSED—contd.

COLUMNS

CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE

1724—27

Shri P. C. Borooah called the attention of the Prime Minister to the position of Indian nationals (including Ladhakhi Buddhists) in Tibet.

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon) made a statement in regard thereto.

REPORT OF BUSINESS AD-
VISORY COMMITTEE
ADOPTED

1728

Fortieth Report was adopted.

BILLS PASSED . . . 1729—1805

(1) The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim) moved for the consideration of the Wakf (Amendment) Bill. The Motion was adopted. After clause-by-clause consideration the Bill was passed as amended.

(2) The Minister of State in the Ministry of Home Affairs (Shri Datar) moved for the consideration of the Rajasthan and Madhya Pradesh (Transfer of Territories) Bill. The motion was adopted. After clause-by-clause consideration the Bill was passed.

(3) The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved for the consideration of the State Bank of India (Amendment) Bill, as reported by the Joint Committee. The motion was adopted. After clause-by-clause consideration the Bill was passed, as amended.

BILL UNDER CONSIDERA-
TION

1805—90

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved that the State Bank of India (Subsidiary Banks) Bill, as reported by the Joint Committee, be taken into consideration. The discussion was not concluded.

AGENDA FOR WEDNESDAY,
AUGUST 12, 1959/SRA-
VANA 21, 1881 (SAKA)

Further discussion on the motion to consider and passing of the State Bank of India (Subsidiary Banks) Bill, as reported by the Joint Committee, and consideration and passing of the Banking Companies (Amendment) Bill, as reported by the Joint Committee and the Oil and Natural Gas Commission Bill.